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**TITLE 3—THE PRESIDENT
EXECUTIVE ORDER 10112**

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE CARRIERS REPRESENTED BY THE EASTERN CARRIERS' CONFERENCE COMMITTEE, THE WESTERN CARRIERS' CONFERENCE COMMITTEE, AND THE SOUTHEASTERN CARRIERS' CONFERENCE COMMITTEE, AND CERTAIN OF THEIR EMPLOYEES

WHEREAS a dispute exists between the carriers represented by the Eastern Carriers' Conference Committee, the Western Carriers' Conference Committee, and the Southeastern Carriers' Conference Committee, and certain of their employees represented by the Order of Railway Conductors and the Brotherhood of Railroad Trainmen, labor organizations; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160), I hereby create a board of three members, to be appointed by me, to investigate the said dispute. No member of the said board shall be peculiarly or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the Board has made its report to the President, no change, except by agreement, shall be made by the carriers represented by the

Eastern Carriers' Conference Committee, the Western Carriers' Conference Committee, or the Southeastern Carriers' Conference Committee, or their employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,

February 24, 1950.

[F. R. Doc. 50-1653; Filed, Feb. 24, 1950;
2:43 p. m.]

EXECUTIVE ORDER 10113

DELEGATING THE AUTHORITY OF THE PRESIDENT TO PRESCRIBE CLOTHING ALLOWANCES, AND CASH ALLOWANCES IN LIEU THEREOF, FOR ENLISTED MEN IN THE ARMED FORCES

By virtue of the authority vested in me as President of the United States and as Commander in Chief of the armed forces, it is ordered as follows:

1. The Secretary of Defense with respect to enlisted men of the Army, the Navy, the Air Force, the Marine Corps, the Naval Reserve, the Marine Corps Reserve, the National Guard, the Air National Guard, the National Guard of the United States, the Air National Guard of the United States, the Organized Reserve Corps, and the Air Force Reserve, and the Secretary of the Treasury with respect to enlisted men of the Coast Guard and the Coast Guard Reserve, are hereby authorized and directed, after appropriate consultation with the Director of the Bureau of the Budget, to perform the functions vested in the President by section 505 of the Career Compensation Act of 1949, approved October 12, 1949 (Public Law 351, 81st Congress), relative to prescribing the quantity and kind of clothing which shall be furnished annually to enlisted men of the aforesaid services and relative to prescribing the amount of the cash allowance to be paid

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to such enlisted men in any case in which clothing is not so furnished to them.

2. The quantity and kind of clothing, and any cash allowances in lieu thereof, prescribed by the Secretary of the Treasury hereunder with respect to the Coast Guard and the Coast Guard Reserve shall, so far as practicable, be in conformity with those prescribed by the

Secretary of Defense with respect to the Navy and Naval Reserve, respectively.

3. Existing regulations prescribing the quantity and kind of clothing furnished, and any cash allowances in lieu thereof, shall remain in effect until modified, revoked, or superseded by action taken pursuant to this order.

4. The term "enlisted men" as used in this order shall be deemed to apply to enlisted persons of either sex.

5. This order shall become effective on April 1, 1950, and on that date shall supersede Executive Order No. 10049, entitled "Delegating the Authority of the President to Prescribe Clothing Allow-

ances, and Cash Allowances in Lieu Thereof, to Enlisted Men in the Armed Forces."

HARRY S. TRUMAN

THE WHITE HOUSE,
February 24, 1950.

[F. R. Doc. 50-1687; Filed, Feb. 27, 1950;
11:11 a. m.]

RULES AND REGULATIONS

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

PART 382—FUR LOAN PROGRAM

LOAN FORMS AND ROUTINES; ADVANCES

Section 382.8 in Title 6, Code of Federal Regulations (14 F. R. 4775), is amended to add paragraph (f) as follows:

§ 382.8 Loan forms and routines.

(f) *Advances.* Fur loan dockets may be submitted for (1) immediate disbursement of the full amount of the loan, or (2) disbursement in not to exceed four advances, only if (i) the circumstances of an individual case necessitate such action to protect properly the interests of the Government and the borrower, and (ii) all of the advances for operating expenses are related to the same crop year, but in no event will any of the future payment vouchers be scheduled for payment more than 12 months from the date of the first advance.

(R. S. 161; 5 U. S. C. 22. Interprets or applies sec. 1, Pub. Law 38, 81st Cong.)

DERIVATION: § 382.8 contained in FHA Instruction 446.1.

Dated: February 8, 1950.

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

Approved: February 21, 1950.

A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 50-1602; Filed, Feb. 27, 1950;
8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

PART 927—MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

ORDER AMENDING ORDER REGULATING HANDLING

Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each of the previously issued amendments thereto; and all of said previous findings

and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted beginning at Olean, New York, on September 19, 1949, and ending at New York City on October 7, 1949, with intervening sessions at Corning, New York, on September 20, at Oneonta, New York, on September 21, at Rutland, Vermont, on September 23, at Malone, New York, on September 26, at Canton, New York, on September 27, at Watertown, New York, on September 28, and at Syracuse, New York, on September 29–October 6, inclusive, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the New York metropolitan milk marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary to make effective promptly this order amending the said order, as amended, to reflect current marketing conditions, and to insure the proper pricing

of milk subject to the order. Orderly marketing of milk will be jeopardized by any delay beyond March 1, 1950 in the effective date of the said order, as amended and as hereby further amended. The changes effected by this order, amending the order, as amended, do not require substantial or extensive preparation by persons affected prior to the effective date. The time intervening between the date of issuance of this order and its effective date affords persons affected a reasonable time to prepare for its effective date. In view of the foregoing, it is impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order for 30 days after its publication. (Section 4 (c), Administrative Procedure Act, Public Law 404, 79th Cong. 60 Stat. 237)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, amending the order, as amended, which is marketed within the New York metropolitan milk marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order further amending the said order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of the order, and who, during the determined representative period (November 1949) were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the New York metropolitan milk marketing area, shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as

amended, is hereby further amended as follows:

1. Amend § 927.5 (a) by deleting subparagraph (1) and substituting the following:

(1) *Class I-A price.* (i) For Class I-A milk the price during each month shall be a price computed pursuant to subdivisions (a) through (k) of this subparagraph: *Provided*, That such price shall not be less than \$4.80 in March 1950, \$4.58 in April 1950, \$4.36 in May 1950, \$4.14 in June 1950 and \$4.58 in July 1950 except that such price for any of the months of March through July 1950 shall be increased or decreased in an amount by which the 201-210 mile zone price established per hundred-weight of Class I milk under Order No. 4 regulating the handling of milk in the Greater Boston marketing area for that month is higher or lower, respectively, than \$4.99 in March, \$4.55 in April, \$4.55 in May, \$4.55 in June and \$4.99 in July.

(a) Divide by 164.9 the monthly wholesale price index for all commodities in the second preceding month as reported by the Bureau of Labor Statistics, United States Department of Labor, with the year 1926 as the base period. Express the result to three decimal places.

(b) Multiply the base price of \$5.66 by the result determined pursuant to subdivision (a) of this subparagraph. Express the result to the nearest cent.

(c) For each month during the 3-year period ending with the second preceding month, calculate to one decimal place the percentage that the total volume of milk in Classes I-A, I-B, and I-C was of the total volume of reported receipts of milk from producers and from unrevealed sources (these percentages to be referred to as utilization percentages).

(d) Calculate the average of the 36 monthly utilization percentages for the 3-year period ending with the second preceding month.

(e) Calculate the average of the 6 utilization percentages for the second and third preceding months and for the same months of the 2 preceding years.

(f) Divide the result determined pursuant to subdivision (e) of this subparagraph by the result determined pursuant to subdivision (d) of this subparagraph expressing the result to three decimal places.

(g) Calculate the average of the 2 utilization percentages in the second and third preceding months.

(h) Divide the result determined pursuant to subdivision (g) of this subparagraph by the result determined pursuant to subdivision (f) of this subparagraph. Express the result to one decimal place and add 100.

(i) Calculate a utilization adjustment percentage by subtracting the base utilization percentage of 63.6 from the result determined pursuant to subdivision (h) of this subparagraph.

(j) Multiply the result determined pursuant to subdivision (b) of this subparagraph by the utilization adjustment percentage determined pursuant to subdivision (i) of this subparagraph.

(k) Multiply the result determined pursuant to subdivision (j) of this subparagraph by the following seasonal ad-

justment factor for the month for which the Class I-A price is being determined:

January	1.05	July	0.95
February	1.03	August	1.00
March	1.00	September	1.04
April	.94	October	1.07
May	.88	November	1.09
June	.88	December	1.07

(ii) Whenever any of the following conditions exist for 3 consecutive months, the Secretary shall call a public hearing promptly to consider those and other economic conditions, or promptly announce his determination that such a hearing should not be held, together with reasons for such determination:

(a) There is a difference of more than 6 points for each of 3 consecutive months between the index of the cost of production announced pursuant to paragraph (g) (1) (vi) of this section and the index of wholesale prices (1948 base) announced pursuant to paragraph (g) (1) (i) of this section.

(b) There is a difference of more than 15 points for each of 3 consecutive months between the index of the cost of production announced pursuant to paragraph (g) (1) (vi) of this section and the index of the Class I-A price announced pursuant to paragraph (g) (1) (vii) of this section.

(c) The Class I-A price for each of 3 consecutive months is less than \$1.00 higher than the condensery price announced pursuant to paragraph (g) (1) (viii) of this section for such months or more than \$2.50 higher than such condensery price.

2. Amend that portion of § 927.5 (g) preceding subparagraph (2) thereof to read:

(g) *Announcement of prices.* The market administrator shall publicly announce the following:

(1) Not later than the 25th day of each month, or the next succeeding workday in any month in which the 25th day is a Sunday or holiday:

(i) The monthly wholesale price index for all commodities in the preceding month as reported (with the year 1926 as the base period) by the Bureau of Labor Statistics, United States Department of Labor, and the resulting index obtained by converting the reported index to a 1948 base by dividing it by 164.9.

(ii) The utilization adjustment percentage computed pursuant to paragraph (a) (1) (i) of this section for the following month.

(iii) The preliminary Class I-A price computed pursuant to paragraph (a) (1) (i) of this section for the following month.

(iv) The average, for the period beginning with the 25th of the immediately preceding month and ending with the 24th of the current month, of the highest prices reported daily by the United States Department of Agriculture for U. S. Grade A or U. S. 92-score butter at wholesale in the New York market.

(v) The preliminary calculation for the following month pursuant to paragraph (a) (4) (i) of this section.

(vi) The index of the cost of production for the preceding month computed by the market administrator as follows:

Combine the index numbers for the States of New York, Pennsylvania, and Vermont with weights of 84 for New York, 13 for Pennsylvania, and 3 for Vermont. The index numbers of cost of production for New York shall be index numbers computed by the New York State College of Agriculture at Cornell University (1910-14 base), converted to a 1948 base by dividing by 321.

The index numbers of cost of production for Pennsylvania shall be computed by combining the index (using a base of 54 cents and a weight of 50) of hourly composite wage rates, reported for Pennsylvania by the United States Department of Agriculture; the index (using a base of \$4.53 and a weight of 30) of all purchases of mixed dairy feeds, reported for Pennsylvania by the United States Department of Agriculture; and the index (using a base of \$23.31 and a weight of 20) of prices received by farmers for all hay, baled per ton, reported for Pennsylvania by the United States Department of Agriculture.

The index numbers of cost of production for Vermont shall be computed by combining the index (using a base of 69 cents and a weight of 50) of hourly composite wage rates, reported for Vermont by the United States Department of Agriculture; the index (using a base of \$4.63 and a weight of 30) of all purchases of mixed dairy feeds, reported for Vermont by the United States Department of Agriculture; and the index (using a base of \$25.42 and a weight of 20) of prices received by farmers for all hay, baled per ton, reported for Vermont by the United States Department of Agriculture.

(vii) The index computed by dividing the Class I-A formula price, prior to the seasonal adjustment, for the following month by \$5.66.

(viii) The average of prices paid in the preceding month by 18 midwestern condenseries as reported by the United States Department of Agriculture.

(ix) Other statistics relating to economic conditions affecting the market supply and demand for milk.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 24th day of February 1950 to be effective on and after the first day of March 1950.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 50-1639; Filed, Feb. 27, 1950;
9:03 a. m.]

PART 941—MILK IN THE CHICAGO, ILLINOIS, MARKETING AREA

ORDER AMENDING ORDER REGULATING HANDLING

Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7

U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Chicago, Illinois, on November 16-22, 1949, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Chicago, Illinois, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary, in the public interest, to make effective not later than March 1, 1950, the present amendments to the said order, as amended, in order to reflect current marketing conditions. Any delay beyond March 1, 1950, in the effective date of this order, as amended, and as hereby further amended, will seriously impair orderly marketing of milk in the Chicago, Illinois, marketing area. The provisions of the said order are well known to handlers—the public hearing having been held November 16-22, 1949, and the decision having been executed by the Acting Secretary February 8, 1950. Therefore, reasonable time, under the circumstances, has been afforded persons affected to prepare for its effective date. In view of the foregoing, it is hereby found and determined that good cause exists for making this order, amending the order, as amended, effective March 1, 1950, and that it would be impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order 30 days after its publication in the *FEDERAL REGISTER*. (See section 4 (c) Administrative Procedure Act, Public Law 404, 79th Congress, 60 Stat. 237.)

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, amending the order, as amended, which is marketed within the Chicago, Illinois, marketing area) of more than 50 percent of the milk which is marketed

within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of the order, and who, during the determined representative period (November 1949), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Chicago, Illinois, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

1. Delete § 941.4 (f) (4) and substitute therefor the following:

(4) Subtract from the remaining pounds of milk in each class, in series beginning with the lowest-priced milk, the pounds of milk received from sources other than producers or handlers;

2. Delete § 941.4 (f) (5) and substitute therefor the following:

(5) Subtract from the remaining pounds of milk in each class, in series beginning with the lowest-priced milk, the pounds of overrun; and

3. Delete § 941.4 (f) (6) and substitute therefor the following:

(6) In the event the total pounds of milk remaining in the several classes is greater, or less, than the pounds of milk received from producers (including the handler's own farm production), reconciliation shall be effected by respectively deducting such difference from, or adding such difference to, the pounds of milk which are priced at the lowest announced price per hundredweight of milk applicable for the delivery period.

4. Delete § 941.5 and substitute therefor the following:

§ 941.5 *Minimum prices.*—(a) *Basic formula price.* The basic formula price to be used in computing the prices for Class I milk and Class II milk for each delivery period shall be the higher of the prices for Class III milk and Class IV milk as computed by the market administrator pursuant to subparagraphs (3) and (4) of paragraph (b) of this section for the delivery period next preceding: *Provided*, That for the first delivery period following any amendment of this section the basic formula price shall be computed pursuant to the provisions of

this section as in effect prior to such amendment.

(b) *Class prices.* Subject to the appropriate location adjustment credits, as set forth in paragraph (c) of this section, each handler, at the time and in the manner set forth in § 941.8 shall pay per hundredweight of milk purchased or received during each delivery period from producers or from cooperative associations, not less than the prices set forth below in this paragraph:

(1) *Class I milk.* The price for Class I milk shall be the basic formula price plus the following amount for the delivery period indicated: May and June, \$0.50; August, September, October, and November, \$0.90; all others, \$0.70.

(2) *Class II milk.* The price for Class II milk shall be the basic formula price plus the following amount for the delivery period indicated: May and June, \$0.30; August, September, October, and November, \$0.50; all others, \$0.40.

(3) *Class III milk.* The price for Class III milk shall be the highest of the prices resulting from the respective formulas set forth in subdivisions (i) and (ii) of this subparagraph and in subparagraph (4) of this paragraph: *Provided*, That the price resulting from the formula set forth in subdivision (i) of this subparagraph shall apply to that milk the butterfat from which is contained in evaporated milk, condensed milk, or whole milk powder.

(i) The average of the prices per hundredweight reported to have been paid, or to be paid, for such delivery period to farmers for milk containing 3.5 percent butterfat delivered during such delivery period at each of the following listed manufacturing plants or places for which prices are reported to the United States Department of Agriculture or to the market administrator:

Companies and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(ii) The price per hundredweight computed from the following formula:

(a) Multiply the simple average as computed by the market administrator, of the daily average wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the United States Department of Agriculture during the delivery period, by 6;

(b) Add 2.4 times the simple average, as published by the United States Department of Agriculture, of the prices determined per pound of "cheddars" on the Wisconsin Cheese Exchange at Ply-

mouth, Wisconsin, for the trading days that fall within the month;

(c) Divide by 7;

(d) Add 30 percent thereof; and

(e) Multiply by 3.5.

(4) *Class IV milk.* The price for Class IV milk shall be that computed from the following formula:

(i) Multiply by 4.24 the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter per pound at Chicago, as reported by the United States Department of Agriculture during the delivery period: *Provided*, That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter;

(ii) Multiply by 8.2 the simple average, as computed by the market administrator, of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding delivery period through the 25th day of the current delivery period by the United States Department of Agriculture; and

(iii) From the sum of the results arrived at under subdivisions (i) and (ii) of this subparagraph, subtract 67 cents.

(c) *Location adjustment credit to handlers.* (1) The location adjustment credit with respect to that portion of milk received directly from producers at an approved plant (i) which is moved in the form of fluid milk or fluid skim milk from such approved plant to a plant engaged in the bottling of fluid milk, which is located less than 70 miles from the City Hall in Chicago, or (ii) which is classified as Class I milk but did not move in the manner described in subdivision (i) of this subparagraph or in subparagraph (2) (i) of this paragraph, shall be 2 cents per hundredweight for each 15 miles or fraction thereof that such approved plant is located more than 70 miles from the City Hall in Chicago, but not to exceed a total credit of 42 cents per hundredweight: *Provided*, That there shall be no location adjustment credit with respect to milk classified as Class I milk pursuant to § 941.4 (b) (1) (iii).

(2) The location adjustment credit with respect to that portion of milk received directly from producers at an approved plant (i) which is moved in the form of fluid cream from such approved plant to a plant engaged in the bottling of fluid milk or fluid cream or in the manufacturing of ice cream or ice cream mix, which is located less than 70 miles from the City Hall in Chicago, or (ii) which is classified as Class II milk but did not move in the manner described in subparagraph (1) (i) of this paragraph or in subdivision (i) of this subparagraph, shall be ascertained by dividing the pounds of butterfat contained therein by 0.36 and applying to the result the applicable rate per hundredweight specified in the following table:

Distance from the approved plant to the City Hall in Chicago	Cents per hundredweight
0 to 70 miles (zone 1)-----	0
70.1 to 85 miles (zone 2)-----	5
85.1 to 115 miles (zones 3 and 4)-----	10
115.1 to 160 miles (zones 5, 6, and 7)-----	20
160.1 to 220 miles (zones 8, 9, 10, and 11)-----	30
220.1 to 250 miles (zones 12 and 13)-----	35
250.1 to 310 miles (zones 14, 15, 16 and 17)-----	40
310.1 and over (zones 18 and over)-----	50

(3) The burden rests upon the handler who received the milk from producers to prove to the market administrator that the conditions required for the receiving of location adjustment credits have been fulfilled.

(4) All mileages described in subparagraphs (1) and (2) of this paragraph shall be computed by the market administrator by rail or highway distance, whichever is shorter.

5. Delete § 941.6 (b) and substitute therefor the following:

(b) *Payment for milk received from sources determined as other than from producers or other handlers.* The market administrator in computing the value of milk for each handler pursuant to § 941.7 shall add an amount determined by multiplying the pounds of milk purchased or received from sources determined as other than producers or other handlers by the difference between the value of such milk pursuant to its allocation in § 941.4 (f) (3) and the value of such milk at the lowest announced price per hundredweight of milk applicable for the delivery period. This provision shall not apply if such handler can prove to the market administrator that such milk was used for purposes which did not violate any regulations issued by the various health authorities in the marketing area.

6. Delete § 941.8 (b) and substitute therefor the following:

(b) *Location adjustment to producers.* In making payments to producers pursuant to paragraph (a) (2) of this section, each handler shall deduct per hundredweight of milk purchased or received from producers at a plant located more than 70 miles from the City Hall in Chicago, 2 cents for each 15 miles or fraction thereof: *Provided*, That all such mileages shall be computed by the market administrator by rail or highway distance, whichever is shorter.

7. Delete § 941.8 (c) and substitute therefor the following:

(c) *Butterfat differential to producers.* For each one-tenth of 1 percent above or below 3.5 percent in average butterfat content of milk delivered by any producer during any delivery period, the uniform price paid to such producer shall be plus or minus, as the case may be, an amount computed as follows: To the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the United States Department of Agriculture for the delivery period during which the milk was received, add

20 percent, divide the result obtained by 10, and adjust to the nearest $\frac{1}{10}$ cent. (Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Issued at Washington, D. C., this 24th day of February 1950, to be effective on and after the first day of March 1950.

[SEAL] A. J. LOVELAND,
Acting Secretary of Agriculture.

[F. R. Doc. 50-1637; Filed, Feb. 27, 1950; 9:04 a. m.]

PART 969—MILK IN THE SUBURBAN CHICAGO, ILLINOIS, MARKETING AREA

ORDER AMENDING ORDER REGULATING HANDLING

Findings and determinations. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Chicago, Illinois, on November 16-22, 1949, upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Suburban Chicago, Illinois, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the marketing area and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary, in the public interest, to make ef-

fective not later than March 1, 1950, the present amendments to the said order, as amended, in order to reflect current marketing conditions. Any delay beyond March 1, 1950, in the effective date of this order, as amended, and as hereby further amended, will seriously impair orderly marketing of milk in the Suburban Chicago, Illinois, marketing area. The provisions of the said order are well known to handlers—the public hearing having been held November 16-22, 1949, and the decision having been executed by the Acting Secretary February 8, 1950. Therefore, reasonable time, under the circumstances, has been afforded persons affected to prepare for its effective date. In view of the foregoing, it is hereby found and determined that good cause exists for making this order, amending the order, as amended, effective March 1, 1950, and that it would be impracticable, unnecessary, and contrary to the public interest to delay the effective date of this order 30 days after its publication in the FEDERAL REGISTER. (See section 4 (c) Administrative Procedure Act, Public Law 404, 79th Congress, 60 Stat. 237.)

(d) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, amending the order, as amended, which is marketed within the Suburban Chicago, Illinois, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of the order, and who during the determined representative period (November 1949), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Suburban Chicago, Illinois, marketing area, shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, is hereby further amended as follows:

1. Delete § 969.4 (f) (7) and substitute therefor the following:

(7) In the event the total pounds of milk remaining in the several classes is greater, or less, than the pounds of milk received from producers (including the handler's own farm production) plus the

3.5 percent milk equivalent of butterfat overrun, reconciliation shall be effected by respectively deducting such differences from, or adding such differences to, the pounds of milk which are priced at the lowest announced price per hundredweight of milk applicable for the delivery period.

2. Delete § 969.5 (a) and substitute therefor the following:

§ 969.5 *Minimum prices*—(a) *Basic formula price.* The basic formula price to be used in computing the prices of Class I milk and Class II milk for each delivery period shall be the higher of the prices for Class III milk and Class IV milk as computed by the market administrator pursuant to subparagraphs (3) and (4) of paragraph (b) of this section for the delivery period next preceding: *Provided*, That for the first delivery period following any amendment of § 969.5 the basic formula price shall be computed pursuant to the provisions of § 969.5 as in effect prior to such amendment.

3. Delete § 969.5 (b) (3) and substitute therefor the following:

(3) *Class III milk.* The price for Class III milk shall be the highest of the prices resulting from the respective formulas set forth in subdivisions (i) and (ii) of this subparagraph and in subparagraph (4) of this paragraph: *Provided*, That the price resulting from the formula set forth in subdivision (i) of this subparagraph shall apply to that milk the butterfat from which is contained in evaporated milk, condensed milk, or whole milk powder.

(i) The average of the prices per hundredweight reported to have been paid, or to be paid, for such delivery period to farmers for milk containing 3.5 percent butterfat delivered during such delivery period at each of the following listed manufacturing plants or places for which prices are reported to the United States Department of Agriculture or to the market administrator:

Companies and Location

Borden Co., Black Creek, Wis.
Borden Co., Greenville, Wis.
Borden Co., Mount Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Berlin, Wis.
Carnation Co., Jefferson, Wis.
Carnation Co., Chilton, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Hudson, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(ii) The price per hundredweight computed from the following formula:

(a) Multiply the simple average, as computed by the market administrator, of the daily average wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the United States Department of Agriculture during the delivery period, by 6;

(b) Add 2.4 times the simple average, as published by the United States Department of Agriculture, of the prices determined per pound of "cheddars" on the Wisconsin Cheese Exchange at Plymouth, Wisconsin, for the trading days that fall within the month;

(c) Divide by 7;

(d) Add 30 percent thereof; and

(e) Multiply by 3.5.

4. Delete § 969.5 (b) (4) and substitute therefor the following:

(4) *Class IV milk.* The price for Class IV milk shall be that computed from the following formula:

(i) Multiply by 4.24 the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter per pound at Chicago, as reported by the United States Department of Agriculture during the delivery period: *Provided*, That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter;

(ii) Multiply by 8.2 the simple average, as computed by the market administrator, of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding delivery period through the 25th day of the current delivery period by the United States Department of Agriculture;

(iii) From the sum of the results arrived at under subdivisions (i) and (ii) of this subparagraph, subtract 67 cents.

5. Delete § 969.5 (d).

6. Delete § 969.8 (b) and substitute therefor the following:

(b) *Butterfat differential to producers.* For each one-tenth of 1 percent of average butterfat content above or below 3.5 percent in milk received from any producer or association of producers during the delivery period, the uniform price paid to such producer or association of producers shall be plus or minus, as the case may be, an amount computed as follows: To the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago, as reported by the United States Department of Agriculture for the delivery period during which the milk was received, add 20 percent, divide the result by 10, and adjust to the nearest $\frac{1}{10}$ cent.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 24th day of February 1950, to be effective on and after the 1st day of March 1950.

[SEAL]

A. J. LOVELAND,
Acting Secretary of Agriculture.

[P. R. Doc. 50-1638; Filed, Feb. 27, 1950; 9:03 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 1]

PART 34—FLIGHT NAVIGATOR CERTIFICATES REQUIREMENTS

Under sections 205, 602, 608, 609, and 901 of the Civil Aeronautics Act of 1938, as amended, the Administrator of Civil Aeronautics is empowered (1) to determine by investigation and reexamination whether persons are qualified to serve as flight navigators, (2) to issue flight navigator certificates containing necessary terms, conditions, and limitations, (3) to administer and enforce certificates, standards, rules, and regulations pertaining to flight navigators issued by the Civil Aeronautics Administration and Civil Aeronautics Board, and (4) to adopt such procedures as he deems necessary to carry out these responsibilities.

Acting pursuant to the foregoing authority, and in accordance with section 3 of the Administrative Procedure Act, I hereby adopt the following policies:

§ 34.6-1 *Requirements for approved flight navigator courses (CAA policies which apply to § 34.6 (b))*—(a) *Minimum experience.* A graduate of an approved flight navigator course is deemed to have met the minimum experience requirements for the flight navigator certificate. For this reason, it is essential that an approved course of training for flight navigators include sufficient coverage of the subject to insure the required minimum proficiency of applicants who apply for certification as graduates of an approved course.

(b) *Application for approval.* The agency or applicant desiring approval of a flight navigator course must submit to the local agent three copies of the course outline, a description of the facilities and equipment to be used, and a list of instructors with their qualifications, together with a letter to the Administrator requesting approval.

(c) *Training course outline*—(1) *Format.* The ground course outline and the flight course outline shall be combined in one loose-leaf binder and shall include a table of contents divided into two parts—ground course and flight course.

Each part of the table of contents must contain a list of the major subjects, together with hours allotted to each subject and the total classroom and flight hours.

(2) *Ground course outline.* It is not mandatory that a course outline have the subject headings arranged exactly as listed below. Any arrangement of general headings and subheadings will be satisfactory provided all the subject material listed here is included and the acceptable minimum number of hours is assigned to each subject. Each general subject shall be broken down into detail showing items to be covered.

If any agency desires to include additional subjects in the ground training

curriculum, such as international law, flight hygiene, or others which are not required, the hours allotted these additional subjects may not be included in the minimum classroom hours.

The following subjects with classroom hours are considered the minimum coverage for a ground training course for flight navigators:

Subject	Classroom hours
Civil Air Regulations-----	5
To include:	
Part 34.	
Part 40.	
Part 41.	
Part 42.	
Part 43.	
Part 60.	
Meteorology-----	40
To include:	
Basic Weather Principles.	
Temperature.	
Pressure.	
Winds.	
Moisture in the Atmosphere.	
Stability.	
Clouds.	
Hazards.	
Air Masses.	
Frontal Weather.	
Fog.	
Thunderstorms.	
Icing.	
World Weather and Climate.	
Weather Maps and Weather Reports.	
Forecasting.	
International Morse Code:	
Ability to send and receive code groups of letters and numerals at a speed of eight words per minute.	
Navigation Instruments (exclusive of radio and radar)-----	20
To include:	
Compasses.	
Pressure Altimeters.	
Air-speed Indicators.	
Driftmeters.	
Bearing Indicators.	
Aircraft Octants.	
Instrument Calibration and Alignment.	
Charts and Pilotage-----	15
To include:	
Chart Projections.	
Chart Symbols.	
Principles of Pilotage.	
Dead Reckoning-----	30
To include:	
Air Plot.	
Ground Plot.	
Calculation of ETA.	
Vector Analysis.	
Use of Computer.	
Search.	
Absolute Altimeter with Applications.	15
To include:	
Principles of Construction.	
Operating Instructions.	
Use of Bellamy's Formula.	
Flight Planning with Average Drift.	
Radio and Long Range Navigational Aids-----	35
To include:	
Principles of Radio Transmission and Reception.	
Radio Aids to Navigation.	
Government Publications.	
Airborne D/F Equipment.	
Errors of Radio Bearings.	
Quadrantal Correction.	
Plotting Radio Bearings.	
ICAO Q Code for Direction Finding.	
Loran.	
Consol.	

Subject	Classroom hours
Celestial Navigation-----	150
To include:	
The Solar System.	
The Celestial Sphere.	
The Astronomical Triangle.	
Theory of Lines of Position.	
Use of the American Air Almanac.	
Time and Its Applications.	
Navigation Tables.	
Precomputation.	
Celestial Line of Approach.	
Star Identification.	
Corrections to Celestial Observations.	
Flight Planning and Cruise Control....	25
To include:	
The Flight Plan.	
Fuel Consumption Charts.	
Methods of Cruise Control.	
Flight Progress Chart.	
Point-of-no-Return.	
Equitime Point.	
Long Range Flight Problems-----	15
Total (exclusive of final examinations)-----	850

(3) *Flight course outline.* A minimum of 150 hours of supervised flight training will be required, of which at least 50 hours of flight training must be given at night, and celestial navigation must be used during flights which total at least 125 hours.

A maximum of 50 hours of the required flight training may be obtained in acceptable types of synthetic flight navigator training devices.

Training must be given in dead reckoning, pilotage, radio navigation, celestial navigation, and use of the absolute altimeter.

Flights should be at least four hours in length and should be conducted off civil airways. Some training on long range flights is desirable, but is not required. There is no limit to the number of students that may be trained on one flight, but at least one astrodome or one periscope sextant mounting must be provided for each group of four students.

(d) *Equipment.* (1) Classroom equipment shall include one table at least 24" x 32" in dimensions for each student.

(2) Aircraft suitable for the flight training must be available to the approved course operator to insure that the flight training may be completed without undue delay. The approved course operator may contract or obtain written agreements with aircraft operators for the use of suitable aircraft. A copy of the contract or written agreement with an aircraft operator shall be attached to each of the three copies of the course outline submitted for approval. In all cases, the approved course operator is responsible for the nature and quality of instruction given during flight.

(e) *Instructors.* (1) Sufficient classroom instructors must be available to prevent an excessive ratio of students to instructors. Any ratio in excess of 20 to 1 will be considered unsatisfactory.

(2) At least one ground instructor must hold a valid flight navigator certificate, and be utilized to coordinate instruction of ground school subjects.

(3) Each instructor who conducts flight training must hold a valid flight navigator certificate.

(f) *Revision of training course.* Requests for revisions to course outlines, facilities, and equipment shall follow procedures for original approval of the course. Revisions should be submitted in such form that an entire page or pages of the approved outline can be removed and replaced by the revisions.

The list of instructors may be revised at any time without request for approval, provided the minimum requirement of paragraph (e) of this section is maintained.

(g) *Credit for previous training and experience.* Credit may be granted by an operator to students for previous training and experience which is provable and comparable to portions of the approved curriculum. When granting such credit, the approved course operator should be fully cognizant of the fact that he is responsible for the proficiency of his graduates in accordance with paragraph (i) of this section.

Where advanced credit is allowed, the operator shall evaluate the student's previous training and experience in accordance with the normal practices of accredited technical schools. Before credit is given for any ground school subject or portion thereof, the student must pass an appropriate examination given by the operator. The results of the examination, the basis for credit allowance, and the hours credited shall be incorporated as a part of the student's records.

(h) *Student records and reports.* Each approved course operator shall keep an accurate record of each student, which shall include a chronological log of all instruction, attendance, subjects covered, credits granted, examinations, and examination grades. The entire record shall be retained for not less than one year from the date of the termination of the student's enrollment.

A report covering the previous calendar year shall be prepared and transmitted to the Airman Division, Civil Aeronautics Administration, not later than January 31 of each year. This report shall include the following information:

(1) The names of all students graduated, together with their school grades for ground and flight subjects.

(2) The names of all students failed or dropped, together with their school grades and reasons for dropping.

(i) *Quality of instruction.* The quality of instruction shall be such that at least 80 percent of the students who apply within 90 days after graduation will be able to qualify on the first attempt for certification as a flight navigator.

(j) *Statement of graduation.* Each student who successfully completes an approved flight navigator course shall be given a statement of graduation. An acceptable statement of graduation is:

Civil Aeronautics Administration,
Washington 25, D. C.

GENTLEMEN:

This is to certify that _____
(Name of graduate)
on _____ successfully com-
(Date of graduation)
pleted a course of training for flight navigators which is approved by the Administrator of Civil Aeronautics.

Signed _____
Title _____
School _____

(k) *Change of ownership, name, or location.* (1) *Change of ownership.* An approved course for flight navigators is not transferable from one owner to another. New owners who desire approval of such courses must follow the procedure set forth herein for original approval.

(2) *Change in the name of the operator.* A change in name of an approved course operator without a change of ownership does not invalidate the original approval. The change, however, must be reported immediately by the operator to the local agent, who will issue a letter of approval under the new name.

(3) *Change in location.* A change in location of an approved course operator does not invalidate the original approval. Such change, however, must be reported immediately by the owner to the local agent, who will inspect the facilities to be used in the new location, and if he finds them adequate, he will issue a letter of approval showing the new location.

(l) *Cancellation of approval.* Failure to meet or maintain any of the requirements set forth herein for the approval or operation of an approved flight navigator course shall be considered sufficient reason for cancellation of the approval.

If an operator should desire voluntary cancellation of his approved course, a letter requesting cancellation should be directed to the Administrator of Civil Aeronautics through the local agent.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 602, 52 Stat. 1007, 1008, 49 U. S. C. 551, 552)

These policies shall become effective upon publication in the FEDERAL REGISTER.

[SEAL]

DONALD W. NYROP,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 50-1600; Filed, Feb. 27, 1950;
8:51 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357) the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR 141.1 et seq.; 14 F.R. 3262, 4871, 5006, 6253), and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR 146.1 et seq.; 14 F.R. 886, 1518, 2544, 4872, 5006, 5896, 8386) are amended as indicated below:

1. Section 141.5 *Sodium penicillin* * * * is amended by deleting para-

graph (c) and by renumbering paragraphs (d), (e), (f) and (g) as (c), (d), (e), and (f), respectively.

2. In § 141.11 *Penicillin with aluminum gel*, paragraph (a) is amended to read as follows:

(a) *Sodium penicillin, calcium penicillin, potassium penicillin.* Proceed as directed in §§ 141.1, 141.2, 141.4, and 141.5 (a) and (b); if crystalline penicillin, § 141.5 (c), (d), and (f); and if crystalline penicillin G, § 141.5 (e).

3. In § 141.24 *Aluminum penicillin*, paragraph (g) is amended to read as follows:

(g) *Penicillin K content.* Proceed as directed in § 141.5 (f).

4a. In § 141.26 *Procaine penicillin*, paragraph (g) is amended to read as follows:

(g) *Microscopical test for crystallinity.* Proceed as directed in § 141.5 (c).

b. In § 141.26, paragraph (h) *Penicillin G content* is amended by changing "§ 141.5 (f)" to read "§ 141.5 (e)", wherever it appears.

5a. Section 141.30 *Ephedrine penicillin* is amended by deleting paragraph (g) and by renumbering paragraphs (h), (i), and (j) as (g), (h), and (i), respectively.

b. The paragraph renumbered (g) in § 141.30 is amended by deleting "§ 141.5 (d)" and substituting "§ 141.5 (c)" therefor.

c. The paragraph renumbered (h) in § 141.30 is amended by deleting "§ 141.5 (f)" and substituting "§ 141.5 (e)" therefor.

d. The paragraph renumbered (i) in § 141.30 is amended by deleting "§ 141.5 (g)" and substituting "§ 141.5 (f)" therefor.

6. In § 141.32 *Procaine penicillin* * * *, subparagraph (2) of paragraph (b) *Buffered crystalline penicillin content* is amended by deleting "§ 141.5 (e)" and substituting "§ 141.5 (d)" therefor.

7. Section 141.106 *Streptomycin sulfate* * * * is amended by deleting paragraph (c).

8. In § 141.108 *Dihydrostreptomycin sulfate* * * *, paragraph (d) is amended to read as follows:

(d) *Toxicity, pyrogens, histamine, moisture, pH, crystallinity.* Proceed as directed in §§ 141.103, 141.104, 141.105, 141.106, and 141.5 (c).

9a. Section 141.201 *Aureomycin hydrochloride* is amended by deleting paragraph (h) and by renumbering paragraph (i) as (h).

b. The paragraph renumbered (h) in § 141.201 is amended to read as follows:

(h) *Microscopical test for crystallinity.* Proceed as directed in § 141.5 (c).

10. In § 141.301 *Chloramphenicol*, paragraph (g) is amended to read as follows:

(g) *Microscopical test for crystallinity.* Proceed as directed in § 141.5 (c).

11. Section 141.401 *Bacitracin* is amended by deleting paragraph (g).

12a. In § 146.24 *Sodium penicillin*

* * *. paragraph (a) *Standards of identity, etc.* is amended by changing the semicolon to a period at the end of subparagraph (6) and by deleting subparagraph (7).

b. In § 146.24, subparagraph (1) of paragraph (d) *Request for certification, etc.*, the second sentence is amended by deleting the word "clarity."

13. In § 146.25 *Penicillin in oil and wax* * * *, paragraph (a) *Standards of identity, etc.*, the seventh sentence is amended by deleting the words "except subparagraph (7)".

14. In § 146.26 *Penicillin ointment* * * *, the fifth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7) of that section," to read "and (4) of that section."

15. In § 146.27 *Penicillin tablets*, the fifth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)," to read "and (4)."

16. In § 146.29 *Penicillin with aluminum hydroxide gel*, the second sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

17. In § 146.30 *Penicillin troches* * * *, the third sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

18. In § 146.31 *Penicillin dental cones* * * *, the fourth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

19. In § 146.32 *Penicillin with vasoconstrictor* * * *, the fifth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

20. In § 146.33 *Penicillin for surface application*, the fourth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4) and (7)" to read "and (4)."

21. In § 146.35 *Penicillin sulfonamide powder* * * *, the fifth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

22. In § 146.36 *Penicillin vaginal suppositories* * * *, the third sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

23. In § 146.38 *Capsules buffered penicillin* * * *, the fifth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

24. In § 146.40 *Penicillin bougies* * * *, the fourth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

25. In § 146.41 *Crystalline penicillin and epinephrine in oil*, the fifth sentence of paragraph (a) *Standards of identity, etc.* is amended by ending the sentence with the words "for crystalline penicillin."

26. In § 146.46 *Crystalline penicillin for inhalation therapy*, the fourth sentence of paragraph (a) *Standards of*

identity, etc. is amended by changing "(4), and (7)" to read "and (4)."

27a. In § 146.48 *Ephedrine penicillin* * * *, paragraph (a) *Standards of identity, etc.* is amended by changing "; and" at the end of subparagraph (6) to a period, and by deleting subparagraph (7).

b. In § 146.48, subparagraph (1) of paragraph (d) *Request for certification, etc.*, the second sentence is amended by deleting the word "clarity."

28. In § 146.49 *Ephedrine penicillin tablets*, the sixth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

29. In § 146.51 *Buffered penicillin powder*, the third sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7) of that section," to read "and (4) of that section."

30. In § 146.52 *Procaine penicillin and crystalline penicillin in oil*, the second sentence of paragraph (a) (1) is amended by changing "(4), and (7) of that section," to read "and (4) of that section."

31a. In § 146.101 *Streptomycin sulfate* * * *, paragraph (a) *Standards of identity, etc.* is amended by changing the semicolon at the end of subparagraph (7) to a period, and by deleting subparagraph (8).

b. In § 146.101, the second sentence of paragraph (d) (1) *Request for certification, etc.* is amended by changing "pH, and clarity," to read "and pH."

32. In § 146.102 *Streptomycin ointment*, the fourth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(6), and (8) of that paragraph," to read "and (6) of that paragraph."

33. In § 146.104 *Streptomycin tablets*, the fifth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (8) of that paragraph," to read "and (4) of that paragraph."

34. In § 146.105 *Streptomycin for topical use* * * *, the second sentence of paragraph (d) (1) *Request for certification, etc.* is amended by changing "pH, and clarity," to read "and pH."

35a. In § 146.201 *Aureomycin hydrochloride* * * *, paragraph (a) *Standards of identity, etc.* is amended by changing the semicolon at the end of subparagraph (7) to a period, and by deleting subparagraph (8).

b. In § 146.201, the second sentence of paragraph (d) (1) *Request for certification, etc.* is amended by changing "pH, and clarity," to read "and pH."

36. In § 146.202 *Aureomycin ointment* * * *, the fifth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(5) and (8) of that section," to read "and (5) of that section."

37. In § 146.203 *Aureomycin troches* * * *, the third sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(5), and (8)" to read "and (5)."

38. In § 146.205 *Aureomycin powder* * * *, the fourth sentence of paragraph (a) *Standards of identity, etc.* is

amended by changing "(5), and (8)" to read "and (5)."

39. In § 146.206 *Aureomycin ophthalmic* * * *, the sixth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(5), and (8)" to "and (5)".

40a. In § 146.401 *Bacitracin*, paragraph (a) *Standards of identity, etc.* is amended by changing the semicolon at the end of subparagraph (6) to a period, and by deleting subparagraph (7).

b. In § 146.401, the second sentence of paragraph (d) (1) *Request for certification, etc.* is amended by changing "pH, and clarity," to read "and pH."

41. In § 146.402 *Bacitracin ointment*, the fifth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

42. In § 146.403 *Bacitracin tablets*, the fourth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

43. In § 146.404 *Bacitracin troches*, the fourth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

44. In § 146.405 *Bacitracin with vasoconstrictor*, the fifth sentence of paragraph (a) *Standards of identity, etc.* is amended by changing "(4), and (7)" to read "and (4)."

This order, which deletes the clarity of solution requirement for penicillin, streptomycin, dihydrostreptomycin, aureomycin, and bacitracin, shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. and Sup., 357)

Dated: February 20, 1950.

[SEAL] OSCAR R. EWING,
Administrator.

[F. R. Doc. 50-1601; Filed, Feb. 27, 1950; 8:51 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 221]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 219]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

GEORGIA AND MICHIGAN

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments are amended in the following respects:

1. Schedule A, Item 71, is amended to read as follows:

(71) [Revoked and decontrolled.]

This decontrols (1) the City of Augusta in Richmond County, Georgia, a portion

of the Augusta, Georgia, Defense-Rental Area, and all unincorporated localities in said defense-rental area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, said City of Augusta constituting the major portion of said defense-rental area, and (2) the remainder of the said defense-rental area on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

2. Schedule A, Item 149, is amended to describe the counties in the defense-rental area as follows:

Oakland and Wayne Counties; and Macomb County, except the Townships of Armada, Bruce, Lenox, Macomb, Ray, Richmond, Shelby, Sterling and Washington.

In Washtenaw County, the Townships of Ann Arbor and Ypsilanti and the Cities of Ann Arbor and Ypsilanti.

This decontrols the City of Saline in Washtenaw County, Michigan, a portion of the Detroit, Michigan, Defense-Rental Area, on the Housing Expediter's own initiative in accordance with section 204 (c) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Supp. 1894)

This amendment shall become effective February 24, 1950.

Issued this 23d day of February 1950.

ED DUPREE,
Acting Housing Expediter.

[F. R. Doc. 50-1608; Filed, Feb. 27, 1950; 8:52 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS SAN JOAQUIN RIVER, CALIFORNIA

Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U. S. C. 471), § 202.224 is hereby amended by the addition of an explosives anchorage for the handling of ammonium nitrate in the San Joaquin River at Mandeville Point near Stockton, California, effective immediately upon publication of this amendment in the FEDERAL REGISTER due to the urgent need on the part of the Port of Stockton for commencing operations in the area at the earliest possible time, as follows:

§ 202.224 *San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, San Joaquin River, and connecting waters, Calif.*

(e) *San Joaquin River.*
(3) *Anchorage No. 30 (explosives).* That portion of the old San Joaquin River channel bounded on the west by Mandeville Point and on the north, east, and south by lines joining points the following bearings and distances from Stockton Channel 3 Light: 161° 1,400 yards; 168° 30', 1,520 yards; 175° 20',

1,340 yards; 188° 30', 835 yards; and 161° 870 yards.

(i) This anchorage is for the use of vessels, lighters, and barges loaded with, loading, or unloading explosives or explosive materials, and shall not be used by any other vessel or chart while such operations are in progress. At all other times the area will be open to fishing and navigation without restriction.

(ii) Notice of loading and unloading operations will be given by notice published by the United States Coast Guard in "Notice to Mariners," and by notice given by the Port of Stockton to local radio stations and newspapers, and by telephonic means to any organization that may request that such advice be given. In all cases the notice will state how long the operations will be in progress and on what days.

(f) *General regulations.*
(12) Anchorage Nos. 13, 14, 15, 16, 22, 23, and 30 only.

(13) Explosives Nos. 13, 14, 15, 16, and 30. . . .

[Regs. Feb. 20, 1950, EWGO] (Sec. 7, 38 Stat. 1053; 33 U. S. C. 471)

[SEAL] EDWARD F. WITSELL,
Major General, U. S. A.,
The Adjutant General.

[F. R. Doc. 50-1607; Filed, Feb. 27, 1950; 8:52 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE AND INSTRUCTIONS FOR MAILING

BULGARIA AND NEW ZEALAND

1. In § 127.225 *Bulgaria* (39 CFR 127.225) amend the information below the table of rates, subparagraph (1) (i) of paragraph (b) by deleting "Customs declarations: 3 Form 2966" and substituting in lieu thereof "Customs declarations: 1 Form 2966."

2. In § 127.315 *New Zealand* (39 CFR 127.315) make the following changes:

a. Redesignate paragraph (b) (4) as paragraph (b) (5).

b. Insert a new paragraph to be designated (b) (4) and to read as follows:

(4) *Observations.* Each commercial shipment must be covered by a commercial invoice showing the current domestic price of the goods (that is, what the price would be if sold in the United States) and the selling price to the purchaser in New Zealand. The invoice must include a certificate as to the value of the goods, prepared in prescribed form and signed by the shipper. Printed blanks for the invoice and certificate can be purchased from printing firms specializing in such supplies. The completed invoice must be sent to the addressee by letter mail. It is desirable to send one copy by air mail and another by the ordinary means.

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369; and the terms of postal conventions and agreements entered into

pursuant to R. S. 398, 48 Stat. 943; 5 U. S. C. 372)

[SEAL]

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 50-1569; Filed, Feb. 27, 1950; 8:50 a. m.]

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

CANADA AND PALESTINE

1. In § 127.227 *Canada* (39 CFR 127.227) amend subdivisions (iii) and (iv) of paragraph (a) (14) to read as follows:

(iii) Advertising matter described above when in individual packages valued at more than \$1 each and advertising matter regardless of value designed to advertise the sale of goods by any person in Canada, or specially designed to advertise professional or other services, communication, or transportation systems, hotels, summer resorts, exhibitions, or any other activity, rendered, operated, or carried on by any person in Canada, is dutiable at the rate of 10 cents per pound but not less than 25 per cent ad valorem. It is also subject to the consumption or sales tax of 8 per cent on the duty-paid value unless mailed to Canada with duty fully prepaid by affixing customs-duty stamps on the reverse side of each piece according to the following scale of charges:

	Duty (cents)
Up to and including 1 ounce.....	2
Over 1 ounce and not exceeding 3 ounces.....	3
Over 3 ounces and not exceeding 5 ounces.....	4
Over 5 ounces and not exceeding 7 ounces.....	5
Over 7 ounces and not exceeding 9 ounces.....	6
Over 9 ounces and not exceeding 11 ounces.....	7
Over 11 ounces and not exceeding 13 ounces.....	8
Over 13 ounces and not exceeding 15 ounces.....	9
Over 15 ounces and not exceeding 16 ounces.....	10
Each additional pound (see note A) ..	10

¹ But not less than 25 percent.

NOTE A: Customs duty on advertising matter weighing fractions of a pound in excess of a pound may be prepaid in accordance with the above-mentioned scale of charges.

(iv) Canadian customs-duty stamps may be obtained in denominations of 1, 2, 5, and 10 cents from the Customs Division, Department of National Revenue, Ottawa, Ontario, Canada. Each request for stamps should be accompanied by a remittance (by money order) payable to the Receiver General of Canada.

2. In § 127.323 *Palestine (Arab controlled)* (39 CFR 127.323) amend paragraph (b) to read as follows:

(b) *Parcel post (Palestine, Arab controlled)—(1) Tables of rates.* (i) Surface parcels.

[Rates include transit charges and surcharges]

Pounds:	Rate	Pounds:	Rate
1	\$0.70	7	\$1.67
2	.84	8	1.94
3	1.11	9	2.08
4	1.25	10	2.22
5	1.39	11	2.36
6	1.53		

Weight limit: 11 pounds.

Customs declarations: 1 Form 2966.

Dispatch note: 1 Form 2972.

Parcel-post sticker: 1 Form 2922.

Sealing: Optional.

Group shipments: Limited to 3 parcels. (See § 127.76.)

Registration: No.

Insurance: No.

C. o. d.: No.

(2) *Indemnity.* No provision.

(3) *Observations.* (i) Service is limited to parcels for the following places only:

Babelsahira.	Jericho.
Beit Jala.	Nablus.
Beit Sahour.	Qalqilla.
Bethlehem.	Ramallah.
Hebron.	Tulkarem.
Jenin.	
Jerusalem (old city).	

(4) *Prohibitions.* (i) Arms; essences and oils for use in making adulterated or imitated beverages.

(ii) The importation of the following articles is subject to special restrictions: sporting guns, saltpeter, shaving brushes.

(iii) Advertisements concerning treatment of venereal disease or medical preparations intended to serve as preventatives against those diseases.

(iv) Bees and silkworms, live plants unless accompanied by a certificate from the competent authorities of the country of origin attesting that they have been examined and found free from disease.

(v) Nonexplosive components of artillery fuses.

(R. S. 161, 396, secs. 304, 309, 42 Stats. 24, 25; 5 U. S. C. 22, 359; and the terms of postal conventions and agreements entered into pursuant to R. S. 338, 48 Stat. 943; 5 U. S. C. 372)

[SEAL]

J. M. DONALDSON,
Postmaster General.

[P. R. Doc. 50-1597; Filed, Feb. 27, 1950;
8:49 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RADIO BROADCAST SERVICES

RECAPITULATION OF STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING FM BROADCAST STATIONS

Because of the number of outstanding amendments to the Standards of Good Engineering Practice Concerning FM Broadcast Stations since it was last published in the Federal Register (10 F. R. 12994), there follows a recapitulation of these Standards revised to and including the Commission's action of January 18, 1950 (15 F. R. 404).

In connection with the Commission's order amending these Standards, adopted January 4, 1950 (15 F. R. 242), and incorporated herein, it should here be noted that the effective date of this amendment is February 10, 1950.

Introduction. There are presented herein the Commission's engineering standards relating to the allocation and operation of FM broadcast stations. These standards also apply to non-commercial educational (FM) broadcast stations, except as noted herein. The Commission's rules and regulations contain references to these standards, which have been approved by the Commission and thus are considered as reflecting its opinion in all matters involved.

The standards set forth herein are those deemed necessary for the construction and operation of FM broadcast stations to meet the requirements of technical regulations and for operation in the public interest along technical lines not otherwise enunciated. These standards are based upon the best engineering data available, including evidence at hearings, conferences with radio engineers, and data supplied by manufacturers of radio equipment and by licensees of FM broadcast stations. These standards are complete in themselves and supersede previous engineering standards or policies of the Commission concerning FM broadcast stations. While these standards provide for flexibility and indicate the conditions under which they are applicable, it is not expected that material deviation from the fundamental principles will be recognized unless full information is submitted as to the need and reasons therefor.

These standards will necessarily be revised from time to time as progress is made in the art. The Commission will accumulate and analyze engineering data available as to the progress of the art so that these standards may be kept current with technical developments.

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STANDARDS OF GOOD ENGINEERING PRACTICE CONCERNING FM BROADCAST STATIONS

1. DEFINITIONS

A. *FM broadcast station.* The term "FM broadcast station" means a station

employing frequency modulation in the FM broadcast band and licensed primarily for the transmission of radiotelephone emissions intended to be received by the general public.

B. *Frequency modulation.* The term "frequency modulation" means a system of modulation where the instantaneous radio frequency varies in proportion to the instantaneous amplitude of the modulating signal (amplitude of modulating signal to be measured after pre-emphasis, if used) and the instantaneous radio frequency is independent of the frequency of the modulating signal.

C. *FM broadcast band.* The term "FM broadcast band" means the band of frequencies extending from 88 to 108 megacycles, which includes those assigned to noncommercial educational broadcasting.

D. *Center frequency.* The term "center frequency" means:

(1) The average frequency of the emitted wave when modulated by a sinusoidal signal.

(2) The frequency of the emitted wave without modulation.

E. *Frequency swing.* The term "frequency swing" means the instantaneous departure of the frequency of the emitted wave from the center frequency resulting from modulation.

F. *FM broadcast channel.* The term "FM broadcast channel" means a band of frequencies 200 kilocycles wide and is designated by its center frequency. Channels for FM broadcast stations begin at 88.1 megacycles and continue in successive steps of 200 kilocycles to and including 107.9 megacycles.

G. *Antenna field gain.* The term "antenna field gain" of an FM broadcast antenna means the ratio of the effective free space field intensity produced at one mile in the horizontal plane expressed in millivolts per meter for 1 kilowatt antenna input power to 137.6 mv/m.

H. *Free space field intensity.* The term "free space field intensity" means the field intensity that would exist at a point in the absence of waves reflected from the earth or other reflecting objects.

I. *Multiplex transmission.* The term "multiplex transmission" means the simultaneous transmission of two or more signals within a single channel. Multiplex transmission as applied to FM broadcast stations means the transmission of facsimile or other signals in addition to the regular broadcast signals.

J. *Percentage modulation.* The term "percentage modulation" as applied to frequency modulation means the ratio of the actual frequency swing to the frequency swing defined as 100 percent modulation, expressed in percentage. For FM broadcast stations a frequency swing of ± 75 kilocycles is defined as 100 percent modulation.

K. *Effective radiated power.* The term "effective radiated power" means the product of the antenna power (transmitter output power less transmission line loss) times (1) the antenna power gain, or (2) the antenna field gain squared. Where circular or elliptical polarization is employed the term effective radiated

power is applied separately to the horizontal and vertical components of radiation. For allocation purposes, the effective radiated power authorized is the horizontally polarized component of radiation only.

L. Service area. The term "service area" as applied to FM broadcasting means the service resulting from an assigned effective radiated power and antenna height above average terrain.

M. Antenna height above average terrain. (1) The term "antenna height above average terrain" means the height of the radiation center of the antenna above the terrain 2 to 10 miles from the antenna. (In general a different antenna height will be determined for each direction from the antenna. The average of these various heights is considered as the antenna height above average terrain.)

(2) Where circular or elliptical polarization is employed the antenna height above average terrain shall be based upon the height of the radiation center of the antenna which transmits the horizontal component of radiation.

N. Field intensity. The term "field intensity" as used in these standards shall mean the electric field intensity in the horizontal direction.

O. Index of cooperation. The index of cooperation as applied to facsimile broadcasting is the product of the number of lines per inch, the available line length in inches, and the reciprocal of the line-use ratio (e. g., $105 \times 8.2 \times 8/7 = 984$).

P. Line-use ratio. The term "line-use ratio" as applied to facsimile broadcasting is the ratio of the available line to the total length of scanning line.

Q. Available line. The term "available line" means the portion of the total length of scanning line that can be used specifically for picture signals.

R. Rectilinear scanning. The term "rectilinear scanning" means the process of scanning an area in a predetermined sequence of narrow straight parallel strips.

S. Optical density. The term "optical density" means the logarithm (to the base 10) of the ratio of incident to transmitted or reflected light.

2. ENGINEERING STANDARDS OF ALLOCATION

A. Sections 3.202 to 3.206 inclusive of the Rules and Regulations describe the basis for allocation of FM broadcast stations, including the division of the United States into Areas I and II.

B. FM broadcast stations shall determine the extent of their 1 mv/m and 50 uv/m contours in accordance with the methods prescribed in these Standards.

C. Although some service is provided by tropospheric waves, the service area is considered to be only that served by the ground wave. The extent of service is determined by the point at which the ground wave is no longer of sufficient intensity to provide satisfactory broadcast service. The field intensity considered necessary for service is as follows:

TABLE I

Area:	Median field intensity
City business or factory areas.....	1 mv/m
Rural areas.....	50 uv/m

A median field intensity of 3 to 5 mv/m should be placed over the principal city to be served and for class B stations, a median field intensity of 1 mv/m should be placed over the business district of cities of 10,000 or greater within the metropolitan district served. A field intensity of 5 mv/m should be provided over the main studio of a class B station except as otherwise provided in § 3.205 of the Rules. The location of the main studio of a class A station is specified in § 3.203 of the Rules. These figures are based upon the usual noise levels encountered in the several areas and upon the absence of interference from other FM stations.

D. A basis for allocation of satellite stations has not yet been determined. For the present, applications will be considered on their individual merits.

E. The service area is predicted as follows: Profile graphs must be drawn for at least eight radials from the proposed antenna site. These profiles should be prepared for each radial beginning at the antenna site and extending to 10 miles therefrom. Normally the radials are drawn for each 45° of azimuth; however, where feasible the radials should be drawn for angles along which roads tend to follow. (The latter method may be helpful in obtaining topographical data where otherwise unavailable, and is particularly useful in connection with mobile field intensity measurements of the station and the correlation of such measurements with predicted field intensities.) In each case one or more radials must include the principal city or cities to be served, particularly in cases of rugged terrain, even though the city may be more than 10 miles from the antenna site. The profile graph for each radial should be plotted by contour intervals of from 40 to 100 feet and, where the data permits, at least 50 points of elevation (generally uniformly spaced) should be used for each radial. In instances of very rugged terrain where the use of contour intervals of 100 feet would result in several points in a short distance, 200- or 400-foot contour intervals may be used for such distances. On the other hand, where the terrain is uniform or gently sloping the smallest contour interval indicated on the topographic map (see below) should be used, although only a relatively few points may be available. The profile graph should accurately indicate the topography for each radial, and the graphs should be plotted with the distance in miles as the abscissa and the elevation in feet above mean sea level as the ordinate. The profile graphs should indicate the source of the topographical data employed. The graph should also show the elevation of the center of the radiating system. The graph may be plotted either on rectangular coordinate paper or on special paper which shows the curvature of the earth. It is not necessary to take the curvature of the earth into consideration in this procedure, as this factor is taken care of in the chart showing signal intensities (fig. 1).

The average elevation of the 8-mile distance between 2 and 10 miles from

the antenna site should then be determined from the profile graph for each radial. This may be obtained by averaging a large number of equally spaced points, by using a planimeter, or by obtaining the median elevation (that exceeded for 50 percent of the distance) in sectors and averaging these values.

To determine the distance to a particular contour, figure 1 concerning the range of FM broadcast stations should be used. This chart has been prepared for a frequency in the center of the band and is to be used for all FM broadcast channels, since little change results over this frequency range. The distance to a contour is determined by the effective radiated power and the antenna height. The height of the antenna used in connection with figure 1 should be the height of the center of the proposed antenna radiator above the average elevation obtained by the preceding method. The distances shown by figure 1 are based upon an effective radiated power of 1 kilowatt; to use the chart for other powers, the sliding scale associated with the chart should be trimmed and used as the ordinate scale. This sliding scale is placed on the chart with the appropriate gradation for power in line with the lower line of the top edge of the chart. The right edge of the scale is placed in line with the appropriate antenna height graduations and the chart then becomes direct reading for this power and antenna height. Where the antenna height is not one of those for which a scale is provided, the signal strength or distance is determined by interpolation between the curves connecting the equidistant points.

The foregoing process of determining the extent of the required contours shall be followed in determining the boundary of the proposed service area. The areas within the required contours must be determined and submitted with each application for an FM broadcast station. Each application shall include a map showing these contours, and for this purpose sectional aeronautical charts or other maps having a convenient scale may be used. The map shall show the radials along which the profile charts and expected field strengths have been determined. The area within each contour should then be measured (by planimeter or other approximate means) to determine the number of square miles therein. In computing the area within the contours, exclude (1) areas beyond the borders of the United States, and (2) large bodies of water, such as ocean areas, gulfs, sounds, bays, large lakes, etc., but not rivers.

In cases where the terrain in one or more directions from the antenna site departs widely from the average elevation of the 2 to 10 mile sector, the application of this prediction method may indicate contour distances that are different from those which may be expected in practice. In such cases the prediction method should be followed, but a showing may be made if desired concerning the distance to the contour as determined by other means. Such showing should include data concerning the procedure employed and sample calculations. For ex-

ample, a mountain ridge may indicate the practical limit of service although the prediction method may indicate the contour elsewhere. In cases of such limitation, the map of predicted coverage should show both the regular predicted area and the area as limited or extended by terrain. Both areas should be measured as previously described; the area obtained by the regular prediction method should be given in the application form, with a supplementary note giving the limited or extended area. In special cases the Commission may require additional information as to the terrain in the proposed service area.

In determining the population served by FM broadcast stations, it is considered that the built-up city areas and business districts in cities having over 10,000 population and located beyond the 1 mv/m contour do not receive adequate service. Minor civil division maps (1940 census) should be used in making population counts, excluding cities not receiving adequate service. Where a contour divides a minor division, uniform distribution of population within the division should be assumed in order to determine the population included within the contour unless a more accurate count is available.

3. TOPOGRAPHICAL DATA

In the preparation of the profile graphs previously described, the elevations or contour intervals shall be taken from the United States Geological Topographical Quadrangle Sheets for all areas for which such maps are available. If such maps are not published for the area in question, the next best topographic information should be used. Topographic data may sometimes be obtained from state and municipal agencies. The data from the Sectional Aeronautical Charts (including bench marks), or railroad depot elevations and highway elevations from road maps, may be used where no better information is available. In cases where limited topographic data can be obtained, use may be made of an altimeter in a car driven along roads extending generally radially from the transmitter site.

The Commission will not ordinarily require the submission of topographical maps for areas beyond 15 miles from the antenna site, but the maps must include the principal city or cities to be served. If it appears necessary, additional data may be requested.

The United States Geological Survey Topography Quadrangle Sheets may be obtained from the United States Geological Survey, Department of the Interior, Washington, D. C., for 20 cents each. The Sectional Aeronautical Charts are available from the United States Coast and Geodetic Survey, Department of Commerce, Washington, D. C., for 25 cents each. These maps may also be secured from branch offices and from authorized agents or dealers in most principal cities.

4. INTERFERENCE STANDARDS

Field intensity measurements are preferable in predicting interference between FM broadcast stations and should be used, when available, in determining the

extent of interference. (For methods and procedure, see section 5.) In lieu of measurements, the interference should be predicted in accordance with the method described herein.

Objectionable interference is considered to exist when the interfering signal exceeds that given by the ratios of Table II. In Table II the desired signal is median field and the undesired signal is the tropospheric signal intensity exceeded for 1 percent of the time.

TABLE II

Channel separation:	Ratio of desired to undesired signals
Same channel.....	10:1.
200 kc.....	2:1.
400 kc.....	1:10.
600 kc.....	1:100.
800 kc and above.....	No restriction.*

*Intermediate frequency amplifiers of most FM broadcast receivers are designed to operate on 10.7 megacycles. For this reason the assignment of two stations in the same area, one with a frequency 10.6 or 10.8 megacycles removed from that of the other, should be avoided if possible.

Stations normally will not be authorized to operate in the same city or in nearby cities with a frequency separation of less than 800 kc: *Provided*, That stations may be authorized to operate in nearby cities with a frequency separation of not less than 400 kc. where necessary in order to provide an equitable and efficient distribution of facilities: *And provided further*, That class B stations will not be authorized in the same metropolitan district with a frequency separation of less than 800 kc. In the assignment of FM broadcast facilities the Commission will endeavor to provide the optimum use of the channels in the band, and accordingly may assign a channel different from that requested in an application.

In predicting the extent of interference within the ground wave service area of a station, the tropospheric signal intensity (from co-channel and adjacent channel stations) existing for 1 percent of the time shall be employed. The 1 percent values for 1 kilowatt of power and various antenna heights are given in figure 2, and values for other powers may be obtained by use of the sliding scale as for figure 1. The values indicated by figure 2 are based upon available data, and are subject to change as additional information concerning tropospheric wave propagation is obtained.

In determining the points at which the interference ratio is equal to the values shown in Table II, the field intensities for the two interfering signals under consideration should be computed for a considerable number of points along the line between the two stations. Using this data, field intensity versus distance curves should be plotted (e. g., cross-curves on graph paper) in order to determine the points on this path where the interference ratios exist. The points established by this method together with the points along the contours where the

same ratios are determined, are considered to be generally sufficient to predict the area of interference. Additional points may be required in the case of irregular terrain or the use of directional antenna systems.

The area of interference, if any, shall be shown in connection with the map of predicted coverage required by the application form, together with the basic data employed in computing such interference. The map shall show the interference within the 50 uv/m contour.

5. FIELD INTENSITY MEASUREMENTS IN ALLOCATIONS

When field intensity measurements are required by the Commission's rules or when employed in determining the extent of service or interference of existing stations, such measurements should be made in accordance with the procedure outlined herein.

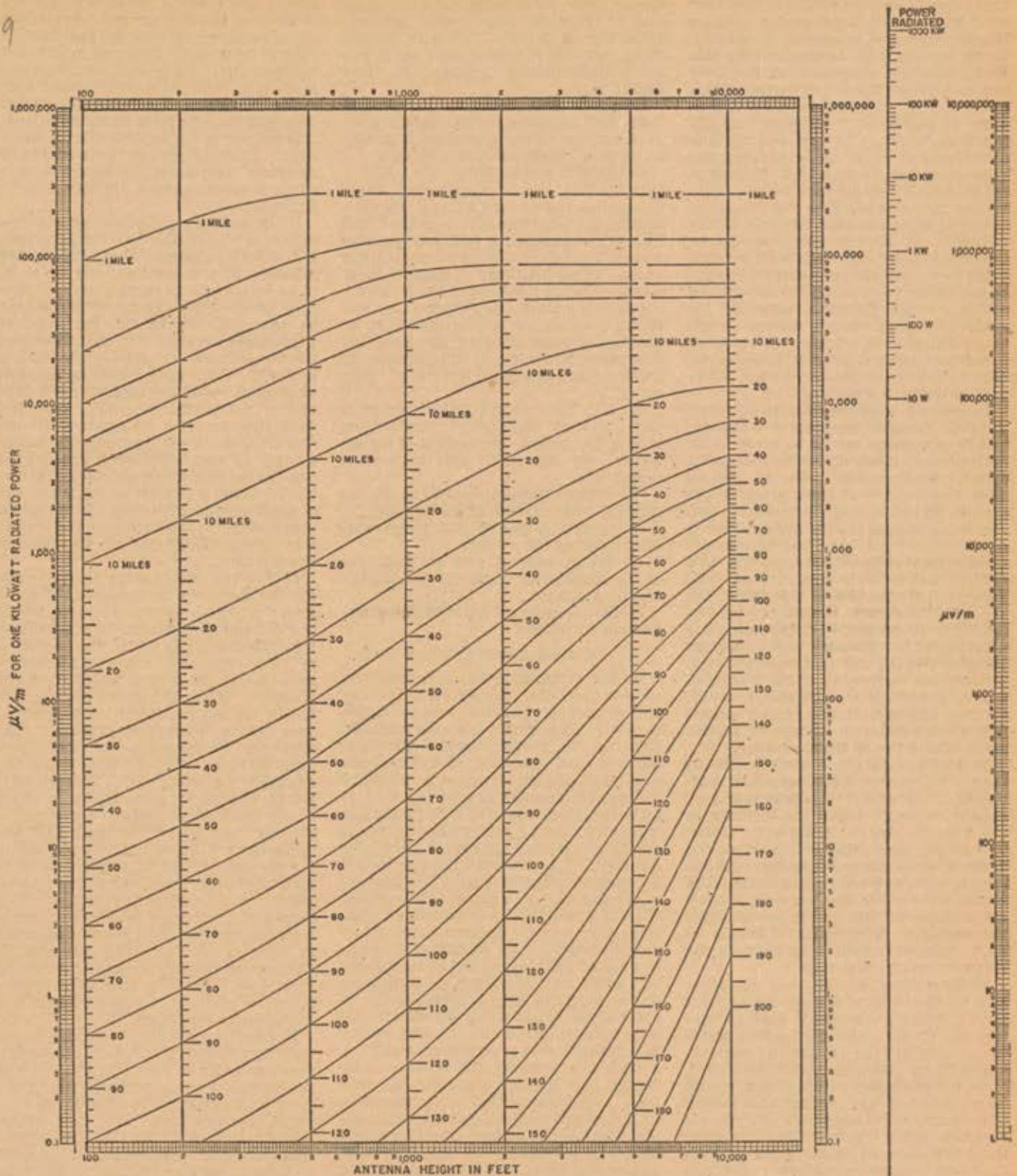
Measurements made to determine the service and interference areas of FM broadcast stations should be made with mobile equipment along roads which are as close and similar as possible to the radials showing topography which were submitted with the application for construction permit. Suitable measuring equipment and a continuous recording device must be employed, the chart of which is either directly driven from the speedometer of the automobile in which the equipment is mounted or so arranged that distances and identifying landmarks may be readily noted. The measuring equipment must be calibrated against recognized standards of field intensity and so constructed that it will maintain an acceptable accuracy of measurement while in motion or when stationary. The equipment should be so operated that the recorder chart can be calibrated directly in field intensity in order to facilitate analysis of the chart. The receiving antenna shall be primarily responsive to the horizontal electric field and should be nondirectional unless otherwise authorized. Authorization to use a half-wave dipole may be requested by filing application with the Commission prior to the making of measurements. The application may be filed by letter describing the proposed antenna, the method of installation and operation, and calibration procedures. Such authorization will remain in effect throughout the series of measurements for which granted.

Mobile measurements should be made with a minimum chart speed of 3 inches per mile and preferably 5 or 6 inches per mile. Locations shall be noted on the recorder chart as frequently as necessary to definitely fix the relation between the measured field intensity and the location. The time constant of the equipment should be such to permit adequate analysis of the charts, and the time constant employed shall be shown. Measurements should be made to a point on each radial well beyond the particular contour under investigation. The transmitter power shall be maintained as close as possible to the authorized power throughout the survey.

After the measurements are completed, the recorder chart shall be divided into not less than 15 sections on each

*Fig. 2 will be available at some future date when sufficient measurements of tropospheric signals are available. Until that time, interference should be predicted on the basis of the ground wave chart (Fig. 1).

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GROUND WAVE SIGNAL RANGE FOR F M BROADCASTING

98Mc, $\epsilon = 5 \times 10^{-4}$ r.m.u., $\epsilon = 15$, RECEIVING ANTENNA HEIGHT 30 FEET
FOR HORIZONTAL (AND APPROX. FOR VERTICAL) POLARIZATION

SLIDING SCALE FOR
USE WITH FIGURES 1
AND 2

FIGURE 1.

equivalent radial from the station. The field intensity in each section of the chart shall be analyzed to determine the field intensity received 50 percent of the distance (median field) throughout the section, and this median field intensity associated with the corresponding sector of the radial. The field intensity figures must be corrected for a receiving antenna elevation of 30 feet and for any directional effects of the automobile not otherwise compensated. This data should be plotted for each radial, using log-log coordinate paper with distance as the abscissa and field intensity as the ordinate. A smooth curve should be drawn through these points (of median fields for all sectors), and this curve used to determine the distance to the desired contour. The distances obtained for each radial may then be plotted on the map of predicted coverage or on polar coordinate paper (excluding water areas, etc.) to determine the service and interference areas of a station.

In making measurements to establish the field intensity contours of a station, mobile recordings should be made along each of the radials drawn in section 2E above. Measurements should extend from the vicinity of the station out to the 1 mv/m measured contour and somewhat beyond (at the present time it is not considered practical to conduct mobile measurements far beyond this contour due to the fading ratio at weak fields, which complicates analysis of the charts). These measurements would be made for the purpose of determining the variation of the measured contours from those predicted, and it is expected that initially the correlation of the measured 1 mv/m with the predicted 1 mv/m contour will be used as a basis in determining adherence to authorized service areas within the 50 uv/m contour.

In addition to the 1 mv/m contour, the map of measured coverage shall show the 50 uv/m contour as determined by employing figure 1 and the distance to the 1 mv/m contour along each radial. The sliding scale shall be placed on the figure at the appropriate antenna height for the radial in question and then moved so the distance to the 1 mv/m contour (as measured) and the 1 mv/m mark are opposite. The distance to the 50 uv/m contour is then given opposite the 50 uv/m mark on the scale.

In predicting tropospheric interference on the basis of the above measurements, such measurements shall be carried out in the manner indicated above to determine the 1 mv/m contour. Using figure 1 and its associated sliding scale, the equivalent radiated power shall be determined by placing the sliding scale on the chart (using the appropriate antenna height) and moving the scale until the distance to the 1 mv/m contour (as determined above), and the 1 mv/m mark are opposite. The equivalent radiated power is then read from the sliding scale where it crosses the lower line of the top edge of the chart. Changing to figure 2 and using the equivalent radiated power just determined, the distance to the interfering contour under investigation is read in the usual manner.

In certain cases the Commission may desire more information or recordings and in these instances special instructions will be issued. This may include fixed location measurements to determine tropospheric propagation and fading ratios.

Complete data taken in conjunction with field intensity measurements shall be submitted to the Commission in affidavit form, including the following:

(a) Map or maps showing the roads or points where measurements were made, the service and/or interference areas determined by the prediction method and by the measurements, and any unusual terrain characteristics existing in these areas. (This map may preferably be of a type showing topography in the area.)

(b) If a directional transmitting antenna is employed, a diagram on polar coordinate paper showing the predicted free space field intensity in millivolts per meter at one mile in all directions. (See sec. 7.)

(c) A full description of the procedures and methods employed including the type of equipment, the method of installation and operation, and calibration procedures.

(d) A representative sample of the recording tape, including calibration.

(e) Antenna system and power employed during the survey.

(f) Name, address, and qualifications of the engineer or engineers making the measurements.

All data shall be submitted to the Commission in triplicate.

6. TRANSMITTER LOCATION

A. The transmitter location should be as near the center of the proposed service area as possible consistent with the applicant's ability to find a site with sufficient elevation to provide service throughout the area. Location of the antenna at a point of high elevation is necessary to reduce to a minimum the shadow effect on propagation due to hills and buildings which may reduce materially the intensity of the station's signals in a particular direction. The transmitting site should be selected consistent with the purpose of the station, i. e., whether it is intended to serve a small city, a metropolitan area, or a large region. Inasmuch as service may be provided by signals of 1 mv/m or greater field intensities in metropolitan areas, and inasmuch as signals as low as 20 uv/m may provide service in rural areas, considerable latitude in the geographical location of the transmitter is permitted; however, the necessity for a high elevation for the antenna may render this problem difficult. In general, the transmitting antenna of a station should be located at the most central point at the highest elevation available. In providing the best degree of service to an area, it is usually preferable to use a high antenna rather than a lower antenna with increased transmitter power. The location should be so chosen that line-of-sight can be obtained from the antenna over the principal city or cities to be served; in no event should there be a major obstruction in this path.

B. The transmitting location should be selected so that the 1 mv/m con-

tour encompasses the urban population within the area to be served and the 50 uv/m or the interference free contour coincides generally with the limits of the area to be served. It is recognized that topography, shape of the desired service area, and population distribution may make the choice of a transmitter location difficult. In such cases consideration may be given to the use of a directional antenna system, although it is generally preferable to choose a site where a nondirectional antenna may be employed.

C. In cases of questionable antenna locations it is desirable to conduct propagation tests to indicate the field intensity expected in the principal city or cities to be served and in other areas, particularly where severe shadow problems may be expected. In considering applications proposing the use of such locations, the Commission may require site tests to be made. Such tests should be made in accordance with the measurement procedure previously described, and full data thereon must be supplied to the Commission. Test transmitters should employ an antenna having a height as close as possible to the proposed antenna height, using a balloon or other support if necessary and feasible. Information concerning the authorization of site tests may be obtained from the Commission upon request.

D. Present information is not sufficiently complete to establish "blanket areas" of FM broadcast stations, which are defined as those areas adjacent to the transmitters in which the reception of other stations is subject to interference due to the strong signal from the stations. Where it is found necessary to locate the transmitter in a residential area where blanketing problems may appear to be excessive, the application must include a showing concerning the availability of other sites. The authorization of station construction in areas where blanketing problems appear to be excessive will be on the basis that the applicant will assume full responsibility for the adjustment of reasonable complaints arising from excessively strong signals of the applicant's station. As a means of minimizing interference problems it is expected that stations adjacent in location will generally be assigned frequencies that are generally adjacent. Insofar as is feasible, frequency assignments for stations at separated locations will also be separated.

E. Cognizance must of course be taken regarding the possible hazard of the proposed antenna structure to aviation and the proximity of the proposed site to airports and airways. In passing on proposed construction, the Commission refers each case to the CAA for its recommendations. Antenna painting and/or lighting may be required at the time of construction or at a later date.

7. ANTENNA SYSTEMS

A. It shall be standard to employ horizontal polarization; however, circular or elliptical polarization may be employed if desired. Clockwise or counter clockwise rotation may be used. The supplemental vertically polarized effective

radiated power required for circular or elliptical polarization shall in no event exceed the effective radiated power authorized.

B. The antenna must be constructed so that it is as clear as possible of surrounding buildings or objects that would cause shadow problems.

C. Applications proposing the use of directional antenna systems must be accompanied by the following:

(1) Complete description of the proposed antenna system.

(2) Orientation of array with respect to true north; time phasing of fields from elements (degrees leading or lagging); space phasing of elements (in feet and in degrees); ratio of fields from elements.

(3) Calculated field intensity pattern (on letter-size polar coordinate paper) giving the free space field intensity in millivolts per meter at one mile in the horizontal plane, together with the formula used, constants employed, sample calculations and tabulation of calculation data.

(4) Name, address, and qualifications of the engineer making the calculations.

D. Applications proposing the use of FM broadcast antennas in the immediate vicinity (i. e., 200 feet or less) of (1) other FM broadcast antennas, or (2) television broadcast antennas for frequencies adjacent to the FM broadcast band, must include a showing as to the expected effect, if any, of such proximate operation.

In cases where it is proposed to use a tower of a standard broadcast station as a supporting structure for an FM broadcast antenna, an application for construction permit (or modification of construction permit) for such station must be filed for consideration with the FM application. Applications may be required for other classes of stations when their towers are to be used in connection with FM broadcast stations.

When an FM broadcast antenna is mounted on a nondirectional standard broadcast antenna, new resistance measurements must be made of the standard broadcast antenna after installation and testing of the FM broadcast antenna. During the installation and until the new resistance determination is approved, the standard broadcast station licensee should apply for authority (informal application) to operate by the indirect method of power determination. The FM broadcast license application will not be considered until the application form concerning resistance measurements is filed for the standard broadcast station.

When an FM broadcast antenna is mounted on an element of a standard broadcast directional antenna, a full engineering study concerning the effect of the FM broadcast antenna on the directional pattern must be filed with the application concerning the standard broadcast station. Depending upon the individual case, the Commission may require readjustment and certain field intensity measurements of the standard broadcast station following the completion of the FM broadcast antenna system.

When the proposed FM broadcast antenna is to be mounted on a tower in the vicinity of a standard broadcast directional array and it appears that the operation of the directional antenna system may be affected, an engineering study must be filed with the FM broadcast application concerning the effect of the FM broadcast antenna on the directional pattern. Readjustment and field intensity measurements of the standard broadcast station may be required following construction of the FM broadcast antenna.

Information regarding data required in connection with standard broadcast directional antenna systems may be found in the Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

In the event a common tower is used by two or more licensees for antenna and/or antenna supporting purposes, the licensee who is owner of the tower shall assume full responsibility for the installation and maintenance of any painting or lighting requirements. In the event of shared ownership, one licensee shall assume such responsibility and advise the Commission accordingly.

E. It is recommended that an emergency FM broadcast antenna be installed, or, alternately, an auxiliary transmission line or lines if feasible in the particular circumstances. Data thereon should be supplied with the application for construction permit; if proposed after station construction, an informal application should be submitted to the Commission.

When necessary for the protection of air navigation, the antenna and supporting structure shall be painted and illuminated in accordance with the specifications supplied by the Commission pursuant to section 303 (q) of the Communications Act of 1934, as amended.

These individual specifications are issued for and attached to each authorization for an installation. The details of the specifications depend on the degree of hazard presented by the particular installation. The tower paint shall be kept in good condition and repainted as often as necessary to maintain this condition.

General information regarding painting and lighting requirements is contained in the Obstruction Marking Manual available from the Civil Aeronautics Administration, Washington 25, D. C.

8. TRANSMITTERS AND ASSOCIATED EQUIPMENT

A. *Electrical performance standards.* The general design of the FM broadcast transmitting system (from input terminals of microphone preamplifier, through audio facilities at the studio, through lines or other circuits between studio and transmitter, through audio facilities at the transmitter, and through the transmitter, but excluding equalizers for the correction of deficiencies in microphone response) shall be in accordance with the following principles and specifications:

(1) Standard power ratings and operating power range of FM broadcast

transmitters shall be in accordance with the following table:

Standard power rating:	Operating power range
10 watts ¹	10 watts or less.
250 watts.....	250 watts or less.
1 kw.....	250 watts-1 kw.
3 kw.....	1-3 kw.
5 kw.....	1-5 kw.
10 kw.....	3-10 kw.
25 kw.....	10-25 kw.
50 kw.....	10-50 kw.
100 kw.....	50-100 kw.

¹ For noncommercial educational FM stations.

Composite transmitters may be authorized with a power rating different from the above table, provided full data is supplied in the application concerning the basis employed in establishing the rating and the need therefor. The operating range of such transmitters shall be from one-third of the power rating to the power rating.

The transmitter shall operate satisfactorily in the operating power range with a frequency swing of ± 75 kilocycles, which is defined as 100 percent modulation.

(2) The transmitting system shall be capable of transmitting a band of frequencies from 50 to 15,000 cycles. Preemphasis shall be employed in accordance with the impedance-frequency characteristic of a series inductance-resistance network having a time constant of 75 microseconds. (See fig. 3.) The deviation of the system response from the standard preemphasis curve shall lie between two limits as shown in figure 3. The upper of these limits shall be uniform (no deviation) from 50 to 15,000 cycles. The lower limit shall be uniform from 100 to 7,500 cycles, and 3 db. below the upper limit; from 100 to 50 cycles the lower limit shall fall from the 3 db. limit at a uniform rate of 1 db. per octave (4 db. at 50 cycles); from 7,500 to 15,000 cycles the lower limit shall fall from the 3 db. limit at a uniform rate of 2 db. per octave (5 db. at 15,000 cycles).

(3) At any modulation frequency between 50 and 15,000 cycles and at modulation percentages of 25, 50, and 100 percent, the combined audio frequency harmonics measured in the output of the system shall not exceed the root-mean-square values given in the following table:

Modulating frequency:	Distortion percent
50 to 100 cycles.....	3.5
100 to 7,500 cycles.....	2.5
7,500 to 15,000 cycles.....	3.0

Measurements shall be made employing 75 microsecond deemphasis in the measuring equipment and 75 microsecond preemphasis in the transmitting equipment, and without compression if a compression amplifier is employed. Harmonics shall be included to 30 kc.²

It is recommended that none of the three main divisions of the system (transmitter, studio to transmitter circuit, and audio facilities) contribute over one-half of these percentages since at some frequencies the total distortion

² See section 13 for measurement frequencies and other information.

may become the arithmetic sum of the distortions of the divisions.

(4) The transmitting system output noise level (frequency modulation) in the band of 50 to 15,000 cycles shall be at least 60 decibels below 100 percent modulation (frequency swing of ± 75 kilocycles). The measurement shall be made using 400 cycle modulation as a reference. The noise-measuring equipment shall be provided with standard 75 microsecond deemphasis; the ballistic characteristics of the instrument shall be similar to those of the standard VU meter.

(5) The transmitting system output noise level (amplitude modulation) in the band of 50 to 15,000 cycles shall be at least 50 decibels below the level representing 100 percent amplitude modulation. The noise-measuring equipment shall be provided with standard 75-microsecond deemphasis; the ballistic characteristics of the instrument shall be similar to those of the standard VU meter.

(6) Automatic means shall be provided in the transmitter to maintain the assigned center frequency within the allowable tolerance (± 2000 cycles).

(7) The transmitter shall be equipped with suitable indicating instruments for the determination of operating power and with other instruments as are necessary for proper adjustment, operation, and maintenance of the equipment (see section 9).

(8) Adequate provision shall be made for varying the transmitter output power to compensate for excessive variations in line voltage or for other factors affecting the output power.

(9) Adequate provision shall be provided in all component parts to avoid overheating at the rated maximum output power.

(10) Means should be provided for connection and continuous operation of approved frequency and modulation monitors.

(11) If a limiting or compression amplifier is employed, precaution should be maintained in its connection in the circuit due to the use of preemphasis in the transmitting system.

B. Construction. In general, the transmitter shall be constructed either on racks and panels or in totally enclosed frames protected as required by article 810³ of the National Electrical Code and set forth below:

³ The pertinent sections of article 810 of the National Electrical Code read as follows:

"8191. General. Transmitters shall comply with the following:

"a. Enclosing. The transmitter shall be enclosed in a metal frame or grille, or separated from the operating space by a barrier or other equivalent means, all metallic parts of which are effectually connected to ground.

"b. Grounding of controls. All external metallic handles and controls accessible to the operating personnel shall be effectually grounded. No circuit in excess of 150 volts shall have any parts exposed to direct contact. A complete dead-front type of switchboard is preferred.

"c. Interlocks on doors. All access doors shall be provided with interlocks which will disconnect all voltages in excess of 350 volts when any access door is opened."

(1) Means shall be provided for making all tuning adjustments, requiring voltages in excess of 350 volts to be applied to the circuit, from the front of the panels with all access doors closed.

(2) Proper bleeder resistors or other automatic means shall be installed across all capacitor banks to lower any voltage which may remain accessible with access door open to less than 350 volts within 2 seconds after the access door is opened.

(3) All plate supply and other high voltage equipment, including transformers, filters, rectifiers and motor generators, shall be protected so as to prevent injury to operating personnel.

(a) Commutator guards shall be provided on all high voltage rotating machinery. Coupling guards should be provided on motor generators.

(b) Power equipment and control panels of the transmitter shall meet the above requirements (exposed 220 volt AC switching equipment on the front of the power control panels is not recommended but is not prohibited).

(c) Power equipment located at a broadcast station but not directly associated with the transmitter (not purchased as part of same), such as power distribution panels, are not under the jurisdiction of the Commission; therefore § 3.254 does not apply.

(4) Metering equipment:

(a) All instruments having more than 1,000 volts potential to ground on the movement shall be protected by a cage or cover in addition to the regular case. (Some instruments are designed by the manufacturer to operate safely with voltages in excess of 1,000 volts on the movement. If it can be shown by the manufacturer's rating that the instrument will operate safely at the applied

potential, additional protection is not necessary.)

(b) In case the plate voltmeter is located on the low potential side of the multiplier resistor with the potential of the high potential terminal of the instrument at or less than 1,000 volts above ground, no protective case is required. However, it is good practice to protect voltmeters subject to more than 5,000 volts with suitable over-voltage protective devices across the instrument terminals in case the winding opens.

(c) Transmission line meters and any other radio frequency instrument which may be necessary for the operator to read shall be so installed as to be easily and accurately read without the operator having to risk contact with circuits carrying high potential radio frequency energy.

(5) It is recommended that component parts comply as much as possible with the component specifications designated by the Army-Navy Electronics Standards Agency.

C. Wiring and shielding. (1) The transmitter panels or units shall be wired in accordance with standard switchboard practice, either with insulated leads properly cabled and supported or with rigid bus bar properly insulated and protected.

(2) Wiring between units of the transmitter, with the exception of circuits carrying radio frequency energy, shall be installed in conduits or approved fiber or metal raceways for protection from mechanical injury.

(3) Circuits carrying radio frequency energy between units shall be coaxial, two wire balanced lines, or properly shielded.

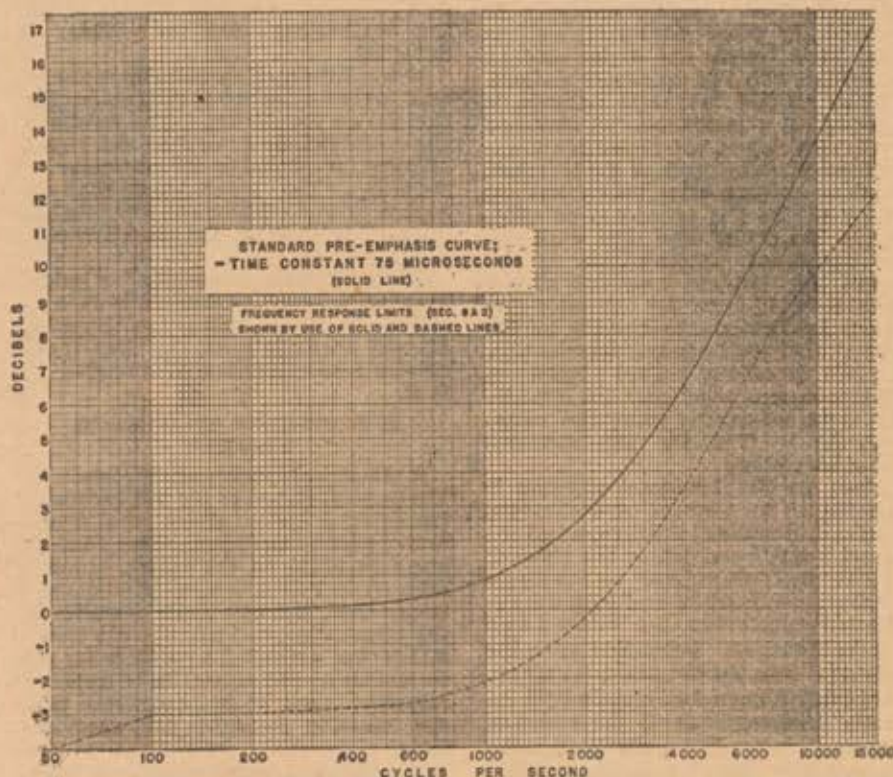


FIGURE 3.

(4) All stages or units shall be adequately shielded and filtered to prevent interaction and radiation.

(5) The frequency and modulation monitors and associated radio frequency lines to the transmitter shall be thoroughly shielded.

D. Installation. (1) The installation shall be made in suitable quarters.

(2) Since an operator must be on duty during operation, suitable facilities for his welfare and comfort shall be provided.

E. Spare tubes. A spare tube of every type employed in the transmitter and frequency and modulation monitors shall be kept on hand at the equipment location. When more than one tube of any type are employed, the following table determines the number of spares of that type required:

Number of each type employed:	Spares required
1 or 2	1
3 to 5	2
6 to 8	3
9 or more	4

An accurate circuit diagram and list of required spare tubes, as furnished by the manufacturer of the equipment, shall be retained at the transmitter location.

F. Operation. In addition to specific requirements of the rules governing FM broadcast stations, the following operating requirements are specified:

(1) The maximum percentage of modulation shall be maintained in accordance with § 3.268. However, precautions shall be taken so as not to substantially alter the dynamic characteristics of musical programs.

(2) Spurious emissions, including radio frequency harmonics, shall be maintained at as low a level as practicable at all times in accordance with good engineering practice.

(3) If a limiting or compression amplifier is employed, care should be maintained in its use due to preemphasis in the transmitting system.

G. Studio equipment. Studio equipment shall be subject to all the above requirements where applicable except as follows:

(1) If properly covered by an underwriter's certificate, it will be considered as satisfying safety requirements.

(2) Section 8191 of article 810 of the National Electrical Code shall apply for voltages only in excess of 500 volts.

No specific requirements are made with regard to the microphones to be employed. However, microphone performance (including compensating networks, if employed) shall be compatible with the required performance of the transmitting system.

No specific requirements are made relative to the design and acoustical treatment of studios. However, the design of studios, particularly the main studio, shall be compatible with the required performance characteristics of FM broadcast stations.

H. Facsimile; Engineering standards. The following standards apply to facsimile broadcasting under § 3.266 of the rules and regulations:

1. Rectilinear scanning shall be employed, with scanning spot progressing from left to right and scanned lines pro-

gressing from top to bottom of subject copy.

2. The standard index of cooperation shall be 984.

3. The number of scanning lines per minute shall be 360.

4. The line-use ratio shall be $\frac{7}{8}$, or 315° of the full scanning cycle.

5. The $\frac{1}{2}$ cycle or 45° not included in the available scanning line shall be divided into 3 equal parts, the first 15° being used for transmission at approximately white level, the second 15° for transmission at approximately black level, and the third 15° for transmission at approximately white level.

6. An interval of not more than 12 seconds shall be available between two pages of subject copy, for the transmission of a page-separation signal and/or other services.

7. Amplitude modulation of subcarrier shall be used.

8. Subcarrier modulation shall normally vary approximately linearly with the optical density of the subject copy.

9. Negative modulation shall be used, i. e., maximum subcarrier amplitude and maximum radio frequency swing on black.

10. Subcarrier noise level shall be maintained at least 30 db below maximum (black) picture modulation level, at the radio transmitter input.

9. INDICATING INSTRUMENTS

An FM broadcast transmitter shall be equipped with suitable indicating instruments of acceptable accuracy to measure (1) the direct plate voltage and current of the last radio stage, and (2) the main transmission line radio frequency current or voltage.

The following requirements and specifications shall apply to indicating instruments used by FM broadcast stations:

A. Instruments indicating the plate current or plate voltage of the last radio stage (linear scale instruments) shall meet the following specifications:

(1) Length of scale shall be not less than $2\frac{1}{10}$ inches.

(2) Accuracy shall be at least 2 percent of the full scale reading.

(3) Scale shall have at least 40 divisions.

(4) Full scale reading shall not be greater than five times the minimum normal indication.

B. Instruments indicating transmission line current or voltage shall meet the following specifications:

(1) Instruments having linear scales shall meet the requirements of A (1), (2), (3), and (4) above.

(2) Instruments having logarithmic or square law scales:

(a) Shall meet requirements A (1) and (2) for linear scale instruments.

(b) Full scale reading shall not be greater than three times the minimum normal indication.

(c) No scale division above one-third full scale reading shall be greater than one-thirtieth of the full scale reading.

C. Radio frequency instruments having expanded scales:

(1) Shall meet requirements A (1), (2), and (4) for linear scale instruments.

(2) No scale division above one-fifth

full scale reading shall be greater than one-fiftieth of the full scale reading.

(3) The meter face shall be marked with the words "Expanded scale" or the abbreviation thereof (E. S.).

D. No instruments indicating the plate current or plate voltage of the last radio stage or the transmission line current or voltage shall be changed or replaced without written authority of the Commission, except by instruments of the same maximum scale readings and accuracy. Requests for authority to use an instrument of different maximum scale reading and/or accuracy shall be made by letter or telegram giving the manufacturer's name, type number, and full scale reading of the proposed instrument and the values of current or voltage the instrument will be employed to indicate. Requests for temporary authority to operate without an instrument may be made by letter or telegram stating the necessity therefor and the period involved.

E. No required instrument, the accuracy of which is questionable, shall be employed. Repairs and recalibration of instruments shall be made by the manufacturer, or by an authorized instrument repair service of the manufacturer, or by some other properly qualified and equipped instrument repair service. In any event the repaired instrument must be supplied with a certificate of calibration.

F. Recording instruments may be employed in addition to the indicating instruments to record the transmission line current or voltage and the direct plate current and/or direct plate voltage of the last radio stage, provided that they do not affect the operation of the circuits or accuracy of the indicating instruments. If the records are to be used in any proceeding before the Commission as representative of operation, the accuracy must be the equivalent of the indicating instruments and the calibration shall be checked at such intervals as to insure the retention of the accuracy.

G. The function of each instrument used in the equipment shall be clearly and permanently shown on the instrument itself or on the panel immediately adjacent thereto.

10. AUXILIARY TRANSMITTERS

Auxiliary transmitters may not exceed the power rating or operating power range of the main transmitter, but need not conform to the performance characteristics specified by section 8A (2) to 8A (5) inclusive. The subsequent portions of section 8 apply to auxiliary transmitters.

11. OPERATING POWER: DETERMINATION AND MAINTENANCE

A. The operating power of FM broadcast stations shall be determined by the indirect method. This is the product of the plate voltage (E_p) and the plate current (I_p) of the last radio stage, and an efficiency factor, F ; that is:

$$\text{Operating power} = E_p \times I_p \times F$$

The efficiency factor, F , shall be established by the transmitter manufacturer for each type of transmitter for which he requests FCC approval, and shall be

shown in the instruction books supplied to the customer with each transmitter. In the case of composite equipment the factor F shall be furnished to the Commission by the applicant along with a statement of the basis used in determining such factor.

B. The operating power shall be maintained as near as practicable to the authorized operating power, and shall not exceed the limits of 5 percent above and 10 percent below the authorized power except in emergencies. In the event it becomes impossible to operate with the authorized power, the station may be operated with reduced power for a period of 10 days or less provided the Commission and the engineer in charge of the district in which the station is located shall be notified in writing immediately thereafter and also upon the resumption of normal operating power.

12. FREQUENCY AND MODULATION MONITORS AT AUXILIARY TRANSMITTERS

Sections 3.252 and 3.253 require that each FM broadcast station have approved frequency and modulation monitors in operation at the transmitter. The following shall govern the installation of approved frequency and modulation monitors at auxiliary transmitters of FM broadcast stations in compliance with these rules:

In case the auxiliary transmitter location is at a site different from that of the main transmitter, an approved frequency monitor shall be installed at the auxiliary transmitter except when the frequency of the auxiliary transmitter can be monitored by means of the frequency monitor at the main transmitter. When the auxiliary transmitter is operated without a frequency monitor under this exemption, it shall be monitored by means of the frequency monitor at the main transmitter.

The licensee will be held strictly responsible for any center frequency deviation of the auxiliary transmitter in excess of 2,000 cycles from the assigned frequency, even though exempted by the above from installing an approved frequency monitor.

Installation of an approved modulation monitor at the location of the auxiliary transmitter, when different from that of the main transmitter, is optional with the licensee. However, when it is necessary to operate the auxiliary transmitter beyond two calendar days, a modulation monitor shall be installed and operated at the auxiliary transmitter. The monitor (if taken from the main transmitter) shall be reinstalled at the main transmitter immediately upon resumption of operation of the main transmitter.

In all cases where the auxiliary transmitter and the main transmitter have the same location, the same frequency and modulation monitors may be used for monitoring both transmitters, provided they are so arranged as to be readily switched from one transmitter to the other.

*See sec. 0.40 of the Commission's Statement of Organization for addresses of field offices.

13. REQUIREMENTS FOR TYPE APPROVAL OF TRANSMITTERS

Section 3.254 of the Rules and section 8 of these Standards concern the design, construction, and technical operation of FM broadcast station equipment. In order to facilitate the filing of and action on applications for construction permits specifying equipment of standard manufacture, the Commission will approve, as complying with the technical requirements, such equipment by type, subject to the following conditions and in accordance with the following procedure:

A. Approval of equipment by the Commission is only to the effect that insofar as can be determined from the data supplied, the equipment complies with the current requirements of good engineering practice and the current technical Rules and Regulations of the Commission. The approval may be withdrawn upon subsequent inspection or operation showing the equipment is not as represented or does not comply with the technical Rules and Regulations of the Commission and the requirements of good engineering practice.

B. Such approval shall not be construed to mean that the equipment will be satisfactory as the state of the art progresses and/or as the Rules and Regulations of the Commission may be changed as deemed advisable.

C. Applicants specifying equipment of approved manufacture need not submit detailed descriptions and diagrams where the correct type number is specified provided that the equipment proposed is identical with that approved.

D. In passing on equipment, no consideration is given by the Commission to patent rights.

E. For approval of FM broadcast transmitters, manufacturers shall submit FCC Form 301 completed with respect to all pertinent sections (two sworn copies). In addition or included therein shall be the data set forth below, all of which shall be verified before a notary public.*

(1) Photographs or drawings, or any other evidence that construction is in accordance with the requirements of good engineering practice.

(2) Data and curves showing over-all audio frequency response from 50 to 15,000 cycles for approximately 25, 50, and 100 percent modulation. Measurements shall be made on at least the following modulation frequencies: 50, 100, 400, 1,000, 5,000, 10,000 and 15,000 cycles. This shall be plotted below a standard 75 microsecond preemphasis curve (see fig. 3).

(3) Data on audio frequency harmonics for 25, 50, and 100 percent modulation for the fundamental frequencies of 50, 100, 400, 1,000, and 5,000 cycles. Data on audio frequency harmonics for 100 percent modulation for fundamental frequencies of 10,000 and 15,000 cycles. Measurements shall include harmonics to 30,000 cycles. (Measurements at 10,000 and 15,000 cycles at 25 and 50 per-

*In connection with its type approval of FM equipment, the Commission may send a representative to observe tests made of such equipment by the manufacturer.

cent modulation are not practical at this time, due to the deemphasis in the measuring equipment.)

(4) Carrier hum and extraneous noise (AM and FM) generated within the equipment and measured as the level below 100 percent modulation.

(5) Means of varying output power to compensate for power supply voltage variations.

(6) Data and curves on mean frequency stability for variations in ambient temperatures over the ranges encountered in practice.

(7) Data and curves on frequency stability for variations in power supply voltage from 85 to 115 percent normal.

(8) Net sale price.

14. REQUIREMENTS FOR TYPE APPROVAL OF FREQUENCY MONITORS

Section 3.252 of the Rules requires each FM broadcast station to have in operation, at the transmitter, an approved frequency monitor independent of the frequency control of the transmitter. The frequency monitor shall be approved by the Commission and shall have a stability and accuracy of at least one-half (± 1000 cycles) of the permitted frequency deviation of the FM broadcast station. Visual indication of the operating frequency shall be provided.

A. General requirements. In general a frequency monitor for FM broadcast stations requires a stable source of radio frequency energy whose frequency is accurately known and a means of comparing the transmitter center frequency with this stable source. The visual indicator is calibrated to indicate the deviation of the transmitter center frequency from the frequency assigned.

Approval of a frequency monitor for FM broadcast stations will be considered on the basis of data submitted by the manufacturer. Any manufacturer desiring to submit a monitor for approval shall supply the Commission with full details (two sworn copies).

In approving a frequency monitor based on these tests and specifications, the Commission merely recognizes that the type of monitor has the inherent capability of functioning in compliance with § 3.252, if properly constructed, maintained and operated. The Commission accepts no responsibility beyond this and further realizes that monitors may have a limited range over which the visual indicator will determine deviations. Accordingly, it may be necessary that adjunct equipment be used to determine major deviations.

No change whatsoever will be permitted in the monitors sold under approval number issued by the Commission except when the licensee or the manufacturer is specifically authorized to make such changes. When it is desired to make any change, either mechanical or electrical, the details shall be submitted to the Commission for its consideration.

Approval is given subject to withdrawal if the unit proves defective in service and cannot be relied upon under usual conditions of maintenance and operation encountered in the average FM broadcast station. Withdrawal of approval means that no further units may be in-

stalled by FM broadcast stations for the purpose of complying with § 3.252; however, this will not affect units already sold unless it is found that there has been an unauthorized change in design or construction or that the material or workmanship is defective.

B. General specifications. The general specifications that frequency monitors shall meet before they will be approved by the Commission are as follows:

(1) The unit shall have an accuracy of at least ± 1000 cycles under ordinary conditions (temperature, humidity, power supply variations and other conditions which may affect its accuracy) encountered in FM broadcast stations throughout the United States, for any channel within the FM broadcast band.

(2) The range of the indicating device shall be at least from 2000 cycles below to 2000 cycles above the assigned center frequency.

(3) The scale of the indicating device shall be so calibrated as to be accurately read within at least 100 cycles.

(4) Means shall be provided for adjustment of the monitor indication to agree with an external standard.

(5) The monitor shall be capable of continuous operation and its circuit shall be such as to permit continuous monitoring of the transmitter center frequency.

(6) Operation of the monitor shall have no deleterious effect on the operation of the transmitter or the signal emitted therefrom.

C. Tests to be made for approval of FM broadcast frequency monitors. The manufacturer of a monitor shall submit data on the following at the time of requesting approval:

(1) Constancy of oscillator frequency, as measured several times in 1 month.

(2) Constancy of oscillator frequency when subjected to vibration tests which would correspond to the treatment received in shipping, handling and installing the instrument.

(3) Accuracy of readings of the frequency deviation instrument.

(4) Functioning of frequency adjustment device.

(5) Effects on frequency and readings, of the changing of tubes, of voltage variations, and of variations of room temperature through a range not to exceed 10° to 40° C.

(6) Response of indicating instrument to small changes of frequency.

(7) General information on the effect of tilting or tipping or other tests to determine ability of equipment to withstand shipment.

Various other tests may be made or required, such as effects of variation of input from the transmitter depending upon the character of the apparatus.

Tests shall be conducted in such a manner as to approximate actual operating conditions as nearly as possible. The equipment under test shall be operated on any channel in the FM broadcast band.

* In connection with its type approval of FM equipment, the Commission may send a representative to observe tests made of such equipment by the manufacturer.

15. REQUIREMENTS FOR TYPE APPROVAL OF MODULATION MONITORS

Section 3.253 requires each FM broadcast station to have an approved modulation monitor in operation at the transmitter. This monitor may or may not be a part of the FM broadcast frequency monitor. Approval of a modulation monitor for FM broadcast stations will be considered on the basis of data submitted by the manufacturer. Any manufacturer desiring to submit a monitor for approval shall supply the Commission with full details (two sworn copies).

The specifications that the modulation monitor shall meet before it will be approved by the Commission are as follows:

(a) A means for insuring that the transmitter input to the modulation monitor is proper.

(b) A modulation peak indicating device that can be set at any predetermined value from 50 to 120 percent modulation (± 75 kc swing is defined as 100 percent modulation) and for either positive or negative swings (i. e., either above or below transmitter center frequency).

(c) A semi-peak indicator with a meter having the characteristics given below shall be used with a circuit such that peaks of modulation of duration between 40 and 90 milliseconds are indicated to 90 percent of full value and the discharge rate adjusted so that the pointer returns from full reading to 10 percent of zero within 500 to 800 milliseconds. A switch shall be provided so that this meter will read either positive or negative swings.

The characteristics of the indicating meter are as follows:

Speed. The time for one complete oscillation of the pointer shall be 290 to 350 milliseconds. The damping factor shall be between 16 and 200.

Scale. The meter scale shall be similar in appearance to that of a standard VU meter. The scale length between 0 and 100 percent modulation markings should be at least 2.3 inches. In addition to other markings a small mark for 133 percent modulation and designated as such should be included for the purpose of testing transmitters with 100 kc swing.

The accuracy of reading of percentage of modulation shall be within ± 5 percent modulation percentage at any percentage of modulation up to 100 percent modulation.

(d) The frequency characteristic curve shall not depart from a straight line more than $\pm \frac{1}{2}$ db. from 50 to 15,000 cycles. Distortion shall be kept to a minimum.

(e) The monitor shall not absorb appreciable power from the transmitter.

(f) Operation of the monitor shall have no deleterious effect on the operation of the transmitter.

(g) General design, construction, and operation shall be in accordance with good engineering practice.

16. APPROVED TRANSMITTERS

Manufacturer's name	Type No.	Rated power
Collins Radio Co., Cedar Rapids, Iowa.	731A	250 watts.
	732A	1 kw.
	733A	3 kw.
	737A	5 kw.
Federal Telephone & Radio Corp., Newark, N. J.	734A	10 kw.
	191A	1 kw.
	192A	3 kw.
	192AZ	3 kw.
Gates Radio Co., Quincy, Ill.	193A	10 kw.
	RF-250A	250 watts.
	RF-1A	1 kw.
	RF-3A	3 kw.
General Electric Co., Schenectady, N. Y.	RF-3B	3 kw.
	RF-3C	3 kw.
	RF-10A	10 kw.
	BT-1-A	250 watts.
Harvey Radio Laboratories, Inc., Cambridge, Mass.	BT-1-B	250 watts.
	BT-2-A	1 kw.
	BT-2-B	1 kw.
	BT-3-A	3 kw.
Radio Corp. of America, New York, N. Y.	BT-3-B	3 kw.
	BT-4-A	10 kw.
	BT-4-B	10 kw.
	Fm-500	250 watts.
Radio Engineering Laboratories, Long Island City, N. Y.	MI-7016	Exciter.
	BTF-250A	250 watts.
	BTF-1C	1 kw.
	BTF-3B	3 kw.
Raytheon Manufacturing Co., Waltham, Mass.	BTF-5A	5 kw.
	BTF-10B	10 kw.
	BTF-30A	30 kw.
	549A-DL	250 watts.
Western Electric Co., Inc., New York, N. Y.	518B-DL	1 kw.
	518D-DL	1 kw.
	519-DL	3 kw.
	520-DL	10 kw.
Westinghouse Electric & Manufacturing Co., Baltimore, Md.	RF-250	250 watts.
	RF-1000	1 kw.
	RF-3	3 kw.
	RF-10	10 kw.
Doolittle Radio, Inc., Chicago, Ill.	503 B-1	1 kw.
	503 B-2	1 kw.
	504 B-2	3 kw.
	506 B-2	10 kw.
General Electric Co., Schenectady, N. Y.	MO/MP	Exciter.
	FM-1	1 kw.
	FM-3	3 kw.
	FM-10	10 kw.
Hewlett-Packard Co., Palo Alto, Calif.	FM-50	50 kw.

17. APPROVED FREQUENCY MONITORS

Manufacturer's name	Type No.
Doolittle Radio, Inc., Chicago, Ill.	FD-11.
General Electric Co., Schenectady, N. Y.	BM-1-A.
General Radio Co., Cambridge, Mass.	1170-A.
Hewlett-Packard Co., Palo Alto, Calif.	335B.
Radio Engineering Laboratories, Long Island City, N. Y.	600R.
Western Electric Co., Inc., New York, N. Y.	5A.

18. APPROVED MODULATION MONITORS

Manufacturer's name	Type No.
Doolittle Radio, Inc., Chicago, Ill.	FD-11.
General Electric Co., Schenectady, N. Y.	BM-1-A.
General Radio Co., Cambridge, Mass.	1170-A.
Hewlett-Packard Co., Palo Alto, Calif.	335B.
Radio Engineering Laboratories, Long Island City, N. Y.	600R.
Western Electric Co., Inc., New York, N. Y.	5A.

19. FM BROADCAST APPLICATION FORMS

FCC Form 301, Application for Authority to Construct a New Broadcast Station or Make Changes in an Existing Broadcast Station.

FCC Form 302, Application for New Broadcast Station License.

FCC Form 303, Application for Renewal of Broadcast Station License.

FCC Form 314, Application for Consent to Assignment of Radio Broadcast Station Construction Permit or License.

FCC Form 315, Application for Consent to Transfer of Control of Corporation Holding Radio Broadcast Station Construction Permit or License.

FCC Form 701, Application for Additional Time to Construct a Radio Station.
(Sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

[SEAL] T. J. SLOWIE,
Secretary.

TITLE 49—TRANSPORTATION

[S. O. 844, Amdt. 1]

FURNISHING OF CARS FOR RAILROAD
LOCOMOTIVE FUEL COAL SUPPLY

Upon further consideration of Service Order No. 844 (14 F. R. 7765), and good cause appearing therefor: It is ordered, that:

Section 95.844 *Furnishing of cars for railroad locomotive fuel coal supply, of*

(d) *Expiration date.* This section shall expire at 11:59 p. m., April 25, 1950, unless otherwise, modified, changed, suspended, or annulled by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p. m., February 25, 1950.

It is further ordered, that a copy of this amendment and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary

[P. R. Doc. 50-1619; Filed, Feb. 27, 1950;
8:54 a. m.]

Berlin—Siemensstadt.
Berlin—Spandau.
Berlin—Staaken.
Berlin—Steglitz.
Berlin—Suedende.
Berlin—Tegel.
Berlin—Tegelort.
Berlin—Tempelhof.
Berlin—Tiergarten.
Berlin—Waldmannslust.
Berlin—Wansee.
Berlin—Wedding.
Berlin—Wilmsdorf.
Berlin—Wittenau.
Berlin—Zehlendorf.

EASTERN SECTION

Berlin W 1.
Berlin C 2.
Berlin N 3.
Berlin N 4.
Berlin NW 6.
Berlin NW 7.
Berlin W 8.
Berlin W 9.
Berlin SO 16.
Berlin O 17.
Berlin NO 18.
Berlin N 24.
Berlin C 25.
Berlin O 32.
Berlin O 34.
Berlin C 43.
Berlin N 54.
Berlin NO 53.
Berlin N 55.
Berlin NO 60.
Berlin C 63.
Berlin W 66.
Berlin C 76.
Berlin NO 92.
Berlin O 98.
Berlin N 103.
Berlin N 106.
Berlin C 111.
Berlin O 112.
Berlin N 113.
Berlin N 115.
Berlin—Adlers
Berlin—Altgli
Berlin—Baum
Berlin—Blesd
Berlin—Blank
Berlin—Blank
Berlin—Bohns
Berlin—Buch.
Berlin—Bucht
Berlin—Falken
Berlin—Falken
Berlin—Friedr
Berlin—Friedr
Berlin—Gruen
Berlin—Heine
Berlin—Hoher
Berlin—Horst
Berlin—Johan
Berlin—Karls
Berlin—Karol
Berlin—Karow
Berlin—Kauls
Berlin—Koepe
Berlin—Lichte
Berlin—Mahls
Berlin—Malch
Berlin—Marza
Berlin—Mitte.
Berlin—Muegg
Berlin—Nieder
Berlin—Nieder
Berlin—Ober
Berlin—Panko
Berlin—Prenzl
Berlin—Rahn
Berlin—Rohs
Berlin—Rums
Berlin—Schmo
Berlin—Spaeth
Berlin—Trepte
Berlin—Warte
Berlin—Weiss
Berlin—Wilhel
Berlin—Wilhel

NOTICES

POST OFFICE DEPARTMENT

ADDRESSING MAIL TO GERMANY

1. Effective at once, mail and parcel post for the American, British, and French Zones of western Germany may be addressed "Western Zone" if desired, instead of to a specific zone of occupation. Mail for the Soviet Zone may be addressed "Eastern Zone" if desired. The Western Zone comprises postal addressing districts 13, 14, 16, 17, 20, 21, 22, 23 and 24. The Eastern Zone comprises districts 2, 3, 10, 15 and 19.

2. Also effective at once mail and parcel post for Berlin may, if desired, be addressed "Western Sector" or "Eastern Sector" as the case may be instead of to a specific sector of occupation. There are given below lists of the local post offices, areas and suburbs in Berlin located in the western and eastern sectors:

WESTERN SECTOR

Berlin W 10.
Berlin SW 11.
Berlin W 15.
Berlin N 20.
Berlin NW 21.
Berlin SO 26.
Berlin SW 29.
Berlin W 30.
Berlin N 31.
Berlin W 35.
Berlin SO 36.
Berlin NW 40.
Berlin SW 47.
Berlin N 49.
Berlin W 57.

Berlin S 59.
Berlin SW 61.
Berlin N 65.
Berlin SW 68.
Berlin N 69.
Berlin SW 77.
Berlin NW 87.
Berlin N 96.
Berlin—Borsigwalde.
Berlin—Britz.
Berlin—Buckow—Ost.
Berlin—Buckow—West.
Berlin—Charlottenburg.
Berlin—Dahlem.
Berlin—Eichkamp.
Berlin—Friedenau.
Berlin—Frohnau.
Berlin—Gatow.
Berlin—Grunewald.
Berlin—Halensee.
Berlin—Haselhorst.
Berlin—Heiligensee.
Berlin—Hermendorf.
Berlin—Kladow.
Berlin—Konradshöhe.
Berlin—Kreuzberg.
Berlin—Lankwitz.
Berlin—Lichtenrade.
Berlin—Lichterfelde.
Berlin—Leubars.
Berlin—Mariendorf.
Berlin—Marienfelde.
Berlin—Neuheiligensee.
Berlin—Neukoelln.
Berlin—Nikolassee.
Berlin—Ploetzensee.
Berlin—Reinickendorf—Ost.
Berlin—Reinickendorf—West.
Berlin—Rudow.
Berlin—Ruhleben.
Berlin—Schlachtensee.
Berlin—Schmargendorf.
Berlin—Schoeneberg.

Hoenow via Berlin—Mahlsdorf.
Lindenberg via Berlin—Hohenschoenhau-
sen.

Schoenefeld via Berlin—Gruenau.
Walderuh via Berlin—Mahlsdorf.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24,
25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL]

J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 50-1598; Filed, Feb. 27, 1950;
8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

[Sec. 5a, Application 16]

NATIONAL MOTOR FREIGHT TRAFFIC AGREEMENT

APPLICATION FOR APPROVAL OF AGREEMENT

FEBRUARY 23, 1950.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed by: Edgar S. Idol, Attorney-in-Fact, 1424 Sixteenth Street NW., Washington 6, D. C.

Agreement involved: An agreement between and among common carriers by motor vehicle, and certain common carriers by railroad and water, and freight forwarders, relating to classification ratings, rules, and regulations, and to traffic matters of general interest to motor common carriers between points in the United States, and procedures for the joint consideration, initiation or establishment thereof.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1620; Filed, Feb. 27, 1950;
8:55 a. m.]

[S. O. 844, Special Directive 34]

CHESAPEAKE AND OHIO RAILWAY CO.

FURNISHING CARS FOR LOCOMOTIVE FUEL COAL TO DESIGNATED MINES ON ITS LINES

On February 23, 1950, the Chesapeake and Ohio Railway Company certified, through its proper officer, that it had on that date less than nine (9) days' supply of fuel coal for locomotives (including fuel coal stock piled or loaded on cars on its line) and that not having

available on its line a dependable source of supply of locomotive fuel coal, deems it necessary to increase its supply from the mine sources and in the average weekly amount herein specified:

Therefore, pursuant to the authority vested in me in paragraph (b) of Service Order No. 844, the Chesapeake and Ohio Railroad Company is directed:

To furnish weekly to the individual mines listed in Appendix A or, where so indicated to groups of mines whose output is controlled by companies or corporations sufficient cars suitable for the transportation of the required number of tons of the type of coal described.

No cars may be supplied this mine for loading of other than railroad locomotive fuel coal in grades called for by railroad purchase orders unless and until the above-named tonnage of locomotive

fuel coal certified as necessary by the Chesapeake and Ohio Railway Company is supplied.

A copy of this special directive shall be served on the Chesapeake and Ohio Railway Company through the Car Service Division of the Association of American Railroads and notice of this directive shall be given the public by depositing a copy in the office of the Secretary of the Commission, Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

Issued at Washington, D. C., this 23d day of February A. D. 1950.

INTERSTATE COMMERCE
COMMISSION,
HOMER C. KING,
Director,
Bureau of Service.

APPENDIX A—MINES ON THE CHESAPEAKE AND OHIO RAILWAY

Company	Mine	Grade	Number of tons weekly
Pike County Collieries Coal Co.	Harold Branch	Run of mine	585
Malvray Coal Co.	Malvray	do	630
Consumers By-Product	Dry Fork	do	180
T. & R. Coal Co.	Baker 2	do	435
Shelby Elkhorn Coal Co.	Rowe	do	75
Greenough Mining Co.	Greenough	do	270
Columbia Coal & Mining Co.	Sun Valley	do	615
Fork Junction Coal Co.	Harold	do	30
Coeley Elkhorn Coal Co.	Coeley No. 1	do	75
Clear Branch Mining Co.	Melvin	do	300
Josephine Elkhorn Coal Co.	Roberts No. 2	do	90
Jenny's Creek Coal Co.	Riceville	do	525
Belva Coal & Lumber Co.	Open Fork-Bell Creek	do	135
Seelinger & Hill	Seelinger & Hill	do	705
Mountain States Coal Co.	Pikeville No. 2	do	2,700
Mountain States Coal Co.	Pikeville No. 2	5" resultant	2,100
Mountain States Coal Co.	Big Branch	Run of mine	75
Middle Fork Coal Co.	Middle Fork	do	690
Lick Fork Coal Co.	David	do	450
Rupert & Davis	Shafer	do	150
Cardinal Fuel & Supply Co.	Van Meter	do	285
	Kneeder	do	

[F. R. Doc. 50-1621; Filed, Feb. 27, 1950; 8:54 a. m.]

[4th Sec. Application 24886]

COAL FROM ARKANSAS AND OKLAHOMA TO ILLINOIS

APPLICATION FOR RELIEF

FEBRUARY 23, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3763.

Commodities involved: Coal, coal briquettes or coalettes, carloads.

From: Points in Arkansas and Oklahoma.

To: Chicago, Joliet and Peoria, Ill.

Grounds for relief: Circuitous routes. Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3763, Supplement 88.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they in-

tend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1603; Filed, Feb. 27, 1950;
8:51 a. m.]

[4th Sec. Application 24887]

PETROLEUM PRODUCTS FROM SOUTHWEST AND KANSAS TO DUPONT, COLO.

APPLICATION FOR RELIEF

FEBRUARY 23, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3494.

Commodities involved: Petroleum products, carloads.

From: Points in the Southwest and Kansas.

To: Dupont, Colo.

Grounds for relief: Circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3494, Supplement 184.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1604; Filed, Feb. 27, 1950;
8:51 a. m.]

[4th Sec. Application 24888]

FURFURAL RESIDUE BETWEEN POINTS IN THE SOUTH

APPLICATION FOR RELIEF

FEBRUARY 23, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 975.

Commodities involved: Furfural residue, dry, in bulk, or in bulk in bags, carloads.

Between: Points in Southern territory. Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before

the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1605; Filed, Feb. 27, 1950;
8:51 a. m.]

[4th Sec. Application 24889]

PARADICHLOROBEENZOL FROM MIDLAND, MICH., AND MONSANTO, ILL., TO NEW YORK

APPLICATION FOR RELIEF

FEBRUARY 23, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: B. T. Jones, Agent, pursuant to fourth-section order No. 9800.

Commodities involved: Paradichlorobenzol or paradichlorobenzene, carloads. From: Midland, Mich., and Monsanto, Ill.

To: Niagara Falls and Suspension Bridge, N. Y.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1606; Filed, Feb. 27, 1950;
8:51 a. m.]

NATIONAL LABOR RELATIONS BOARD

DELEGATION OF CERTAIN POWERS TO GENERAL COUNSEL

Pursuant to the provisions of section 3 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2nd Sess.), the National Labor Relations Board hereby separately states and currently publishes in the FEDERAL REGISTER the following Amended Statement of Delegation of Certain Powers of the National Labor Relations Board to the General Counsel of the National Labor Relations Board.¹

¹ This amends Statements of General Policy or Interpretation which appeared at 13 F. R. 654.

Dated, Washington, D. C., February 23, 1950.

By direction of the Board.

[SEAL]

FRANK M. KLEILER,
Executive Secretary.

As amended, the Statement of Delegation of Certain Powers of National Labor Relations Board to General Counsel of National Labor Relations Board reads as follows:

1950 Memorandum describing statutory and delegated functions of the General Counsel of the Board. The statutory jurisdiction of the General Counsel of the Board is defined as follows:

Section 3 (d): There shall be a General Counsel of the Board who shall be appointed by the President, by and with the advice and consent of the Senate, for a term of four years. The General Counsel of the Board shall exercise general supervision over all attorneys employed by the Board (other than trial examiners and legal assistants to Board members) and over the officers and employees in the regional offices. He shall have final authority, on behalf of the Board, in respect of the investigation of charges and issuance of complaints under Section 10, and in respect of the prosecution of such complaints before the Board, and shall have such other duties as the Board may prescribe or as may be provided by law.

I. Case Handling—A. Complaint cases; Court litigation. The General Counsel of the Board has full and final authority to accept and investigate charges filed, to enter into and approve informal settlement of charges, to dismiss charges, to determine matters concerning consolidation and severance of cases before complaint issues and to issue complaints and notices of hearing.

The General Counsel of the Board shall appear before trial examiners in hearings on complaint and prosecute as provided in the Board's rules and regulations. After issuance of Intermediate Report by the Trial Examiner, the General Counsel may file exceptions and briefs and appear before the Board in oral argument, subject to the Board's rules and regulations. The General Counsel shall, upon direction and in behalf of the Board, seek compliance with the Board's orders and make such compliance reports to the Board as it may from time to time require.

On behalf of the Board the General Counsel of the Board will, in full accordance with the directions of the Board, petition for enforcement, seek temporary restraining orders and resist petitions for review of Board orders as provided in section 10 (e) and (f) of the act. The initiation of proceedings suggesting contempt with reference to any matters pertaining to the enforcement of or compliance with any order of the Board will be done only upon direction of the Board by the General Counsel, who will thereafter appear and represent the Board in such proceedings in regular course. When he is directed to do so by the Board, the proceedings described above will be initiated and processed by the General Counsel without exception. Successive proceedings by way of appeal or on petition for certiorari shall be prosecuted by the General Counsel upon, and in full

accordance with, the directions of the Board.

B. Representation cases. The General Counsel of the Board is assigned full authority and responsibility, on behalf of the Board, to receive and process in accordance with the act, with the decisions of the Board and with such instructions and regulations as may be issued by the Board from time to time, all petitions filed pursuant to section 9 of the National Labor Relations Act as amended, and section 209 (b) of the Labor Management Relations Act of 1947, when requested so to do either by the Board or the Federal Mediation and Conciliation Director; and to enter into consent election agreements in accordance with section 9 (c) (4) of the act subject to regulations prescribed by the Board.

The authority and responsibility in representation cases herein assigned to the General Counsel of the Board shall extend, subject to provisions of the act and in accordance with the rules and regulations of the Board, to all phases of the investigation through the conclusion of the hearing provided for in section 9 (c) and section 9 (e) (if a hearing should be necessary to resolve disputed issues), but all matters involving decisional action after such hearing are reserved by the Board to itself. In the event a direction of election should issue by the Board, the authority and responsibility herein assigned to the General Counsel shall attach as to the conduct of the ordered election, the initial determination of the validity of challenges and objections to the conduct of the election and other similar matters, except that if appeals shall be taken from the General Counsel's action on the validity of challenges and objections, such appeals will be directed to and decided by the Board in accordance with such procedural requirements as it shall prescribe. If challenged ballots would not affect results and if no objections are filed within five days after the conduct of a Board directed election under the provisions of section 9 (c) of the act, the General Counsel is authorized on behalf of the Board to certify to the parties the results of the election in accordance with regulations prescribed by the Board.

Appeals from the refusal of the General Counsel of the Board to issue a notice of hearing on any petition, or from the dismissal by the General Counsel of any petition, will be directed to and decided by the Board in accordance with such procedural requirement as it shall prescribe.

In election petitions filed pursuant to section 9 (e) of the act, the General Counsel of the Board shall, under the foregoing authority and responsibility, conduct an appropriate investigation as to the authenticity of the 30% showing referred to and upon making his determination shall proceed to conduct a secret ballot and, if there are no challenges or objections which require a hearing on behalf of the Board, certify the results thereof as provided for in such section, with appropriate copies lodged in the Washington files of the Board.

In conducting elections pursuant to the provisions of section 9 (e), where State statutes concerning union-security agreements are involved, the General Counsel of the Board will be guided by the decisions of the Board.

C. Jurisdictional dispute cases. The General Counsel of the Board shall exercise full and final authority and responsibility, on behalf of the Board, for the full performance of all functions necessary to the accomplishment of the provisions of section 10 (k) of the act, but in connection therewith the Board will, at the request of the General Counsel, assign to him for the purpose of conducting the hearing provided for therein, one of its staff Trial Examiners. This delegation of authority and the assignment of the Trial Examiner to the General Counsel shall terminate with the close of the hearing. Thereafter the Board will assume full jurisdiction over the matter for the purpose of deciding the issues in such hearing on the record made and subsequent hearings or related proceedings and will also rule upon any appeals.

D. Injunction cases. The General Counsel of the Board shall exercise full and final authority and responsibility, on behalf of the Board, for initiating and prosecuting injunction proceedings as provided for in section 10 (j) and (l).

II. Subpenas. As provided in the act and the Board's rules and regulations, subpenas are granted upon application. Applications for revocations of subpenas issued in connection with cases arising out of charges filed under provisions of section 8 of the act will be ruled upon by the Trial Examiner or the Board. Applications for revocations of subpenas issued in connection with matters arising out of a petition filed under provisions of section 9 of the act will be ruled upon by the General Counsel of the Board.

Proceedings for the enforcement of subpenas issued at the instance of the General Counsel of the Board shall be instituted by the General Counsel where, in his opinion, such proceedings are necessary and desirable. Proceedings for the enforcement of subpenas issued at the instance of private parties shall be instituted by the General Counsel in the name of the Board but on relation of such private party who requested the subpoena; the responsibility for the prosecution of the petition for enforcement shall rest upon the private party on whose relation the suit was instituted.

III. Internal regulations. Procedural and operational regulations for the conduct of the internal business of the Board within the area that is under the supervision and direction of the General Counsel of the Board may be prepared and promulgated by the General Counsel.

IV. Liaison with other Governmental agencies. There is assigned to the General Counsel of the Board full and final authority and responsibility, on behalf of the Board, to maintain appropriate and adequate liaison and arrangements with the office of the Secretary of Labor with reference to the reports required to be filed pursuant to section 9 (f) and (g) of the act and availability to the Board

and the General Counsel of the contents thereof.

The General Counsel of the Board is assigned the authority and responsibility to maintain appropriate and adequate liaison with the Federal Mediation and Conciliation Service and any other necessary Governmental Agency with respect to functions which may be performed in connection with the provisions of section 209 (b) of the act. Any action taken pursuant to the authority granted herein shall be promptly reported to the Board.

V. Anti-Communist affidavits. There is assigned and delegated to the General Counsel of the Board full and final authority and responsibility, on behalf of the Board, to receive the affidavits required under section 9 (h) of the act, to maintain an appropriate and adequate file thereof, and to make available to the public, on such terms as he may prescribe, appropriate information concerning such affidavits, but not to make such files open to unsupervised inspection.

VI. Miscellaneous litigation involving Board and/or officials. The General Counsel of the Board shall have the duty and responsibility to appear in any court on behalf of the Board to represent the Board or any of its agents, unless directed otherwise by the Board.

VII. Personnel. In order better to ensure the effective exercise of the duties and responsibilities described above, the General Counsel of the Board, subject to applicable laws and the rules and regulations of Civil Service Commission, is delegated full and final authority on behalf of the Board over the selection, retention, transfer, promotion, demotion, discipline, discharge and in all other respects, of all personnel engaged in the field and in the Washington Office (other than Trial Examiners, Legal Assistants to Board Members, the personnel in the Information Division, the Solicitor of the Board and personnel in his office, the Executive Secretary of the Board and personnel in his office, including the Order Section and personnel engaged in assisting the Executive Secretary in carrying out his duties, and secretarial, stenographic and clerical employees assigned exclusively to the work of the Members and the Office of the Executive Secretary): *Provided, however,* That no appointment, transfer, demotion or discharge of any Regional Director, or of any Officer in Charge of a Sub-Regional Office, shall become effective except upon approval by the Board. In connection with and in order to effectuate the foregoing, the General Counsel is authorized to execute such necessary requests, certifications, and other related documents on behalf of the Board, as may be needed from time to time to meet the requirements of Civil Service Commission, the Bureau of the Budget, or any other Governmental Agency.

Included in the Washington personnel over whom the General Counsel of the Board has full and final authority as defined above, are those engaged in administrative functions, such as personnel actions, budget, accounting, library, telephone service, procurement and allocation of space, mail, files, messengers, payrolls, and such other functions as

normally fall within the accepted term "housekeeping": *Provided, however, That* such authority shall be exercised with respect to individuals directly and primarily engaged in personnel or budget functions only with the concurrence of the Board. The General Counsel will provide such of the above services as are requested by the Board in the conduct of its administrative business at all times so as to meet the stated requirements of the Board, and will submit to the Board a quarterly written report on the performance of these administrative functions.

The establishment, transfer or elimination of any Regional or Sub-Regional Office shall require the approval of the Board.

VIII. To the extent that the above-described duties, powers and authority rest by statute with the Board, the foregoing statement constitutes a delegation or assignment of such duties, powers and authority whether or not so specified.

[P. R. Doc. 50-1632; Filed, Feb. 24, 1950; 9:05 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1141]

CONSUMERS POWER CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of February A. D. 1950.

The Los Angeles Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Common Stock, No Par Value, of Consumers Power Company.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application finds:

(1) That the Common Stock, No Par Value, of Consumers Power Company is registered and listed on the New York Stock Exchange and on the Detroit Stock Exchange;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Los Angeles Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, No Par

Value, of Consumers Power Company be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P. R. Doc. 50-1589; Filed, Feb. 27, 1950; 8:48 a. m.]

[File No. 7-1143]

SOUTHERN CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of February A. D. 1950.

The Los Angeles Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Common Stock, \$5.00 Par Value, of The Southern Company.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application finds:

(1) That the Common Stock, \$5.00 Par Value, of The Southern Company is registered and listed on the New York Stock Exchange;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Los Angeles Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, \$5.00 Par Value, of The Southern Company be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P. R. Doc. 50-1590; Filed, Feb. 27, 1950; 8:48 a. m.]

[File No. 7-1144]

OHIO EDISON CO.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of February A. D. 1950.

The Los Angeles Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Common Stock, \$8.00 Par Value, of Ohio Edison Company.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application finds:

(1) That the Common Stock, \$8.00 Par Value, of Ohio Edison Company is registered and listed on the New York Stock Exchange and on the Cleveland Stock Exchange;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Los Angeles Stock Exchange for permission to extend unlisted trading privileges to the Common Stock, \$8.00 Par Value, of Ohio Edison Company be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P. R. Doc. 50-1592; Filed, Feb. 27, 1950; 8:48 a. m.]

[File No. 7-1176]

KANSAS GAS & ELECTRIC CO.

ORDER DETERMINING CERTAIN STOCKS TO BE SUBSTANTIALLY EQUIVALENT

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of February A. D. 1950.

The New York Curb Exchange has made application under Rule X-12F-2 (b) for a determination that the 4½% Preferred Stock, Par Value \$100.00, of Kansas Gas & Electric Company is substantially equivalent to the 7% Preferred Stock, Par Value \$100.00, of Kansas Gas & Electric Company, which has heretofore been admitted to unlisted trading privileges on the applicant exchange.

The Commission having duly considered the matter, and having due regard for the public interest and the protection of investors;

It is ordered, Pursuant to sections 12 (f) and 23 (a) of the Securities Exchange Act of 1934 and Rule X-12F-2 (b) thereunder, that the 4½% Preferred Stock, Par Value \$100.00, of Kansas Gas & Electric Company is hereby determined to be substantially equivalent to the 7% Preferred Stock, Par Value \$100.00, of Kansas Gas & Electric Company heretofore admitted to unlisted trading privileges on the applicant exchange.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[P. R. Doc. 50-1591; Filed, Feb. 27, 1950; 8:48 a. m.]

[File No. 54-178]

UNITED LIGHT AND RAILWAYS CO. ET AL.
SUPPLEMENTAL ORDER GRANTING
APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of February A. D. 1950.

The Commission, by Order dated January 10, 1950, having approved a plan for the liquidation and dissolution of The United Light and Railways Company ("Railways"), a registered holding company, and Continental Gas & Electric Corporation ("Continental"), a registered holding company subsidiary of Railways, pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, which plan, inter alia, provides that the distribution of Continental's portfolio securities to its minority stockholders will be made by a depository to be selected by Continental, after notice to the Commission of the method used in selecting the depository and of the fees proposed to be paid to the depository, and that the rights of minority stockholders of Continental to receive such distribution shall expire on a date to be fixed by Continental with the approval of the Commission, after which date the unclaimed securities will be sold and the net proceeds paid to the minority stockholders entitled thereto or held for their benefit as provided in the plan; and

Continental having filed a supplemental application stating that it has requested bids from four banks on the charge to be made for their services for acting as such depository and that Continental proposes, subject to the approval of the Commission, to select Harris Trust and Savings Bank, Chicago, Illinois, as such depository and to pay it a fee of \$100 plus actual disbursements, and said supplemental application further stating that Continental has designated June 1, 1951, as the date on which the rights of the minority stockholders to receive the securities to be distributed shall expire; and

The Commission finding, with respect to the designation of the depository and the fixing of June 1, 1951, as the date on which the right of the minority stockholders to receive the securities to which they are entitled in the distribution shall expire, that the standards of the applicable sections of the act and the rules and regulations promulgated thereunder have been satisfied, and observing no basis for making adverse findings with respect thereto, and deeming it appropriate in the public interest and in the interest of investors or consumers to grant said supplemental application;

It is ordered, That said supplemental application of Continental be, and it hereby is, granted.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 50-1587; Filed, Feb. 27, 1950;
8:48 a. m.]

[File No. 70-2276]

LOUISIANA POWER & LIGHT CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 21st day of February A. D. 1950.

Notice is hereby given that Louisiana Power & Light Company ("Louisiana"), an electric utility subsidiary of Middle South Utilities, Inc. ("Middle South"), a registered holding company, has filed an application-declaration and amendment thereto pursuant to the Public Utility Holding Company Act of 1935 and has designated sections 9, 10 and 11 of the act as applicable to the proposed transactions which are summarized as follows:

Louisiana proposes to purchase all of the outstanding shares of stock of The Grant Utilities, Inc. ("Grant"), for a cash consideration of \$125,000 less certain adjustments. Grant, a Louisiana corporation, operates a small electric distribution system in Grant Parish, Louisiana and a small water plant and distribution system and ice plant in Montgomery, Louisiana. Grant has outstanding 340 shares of capital stock of a par value of \$100 per share, and certain promissory notes totalling \$29,561.08. All of the capital stock is owned by five persons who are not affiliated with Louisiana.

Louisiana presently supplies all of Grant's electric power requirements. Upon the acquisition of the stock, the facilities of Grant will be integrated with those of Louisiana, and Louisiana will put into effect, with respect to the electric customers of Grant, Louisiana's standard applicable rate schedule. The application-declaration states that this will result in savings to the electric customers of Grant. It is further represented that the electric distribution property of Grant will for the most part be used by Louisiana, and that it will use the generating station of Grant as stand-by equipment.

The application-declaration states that if the transaction is approved, Louisiana will dispose of the water and ice facilities of Grant within one year from the date of consummation of the transaction or within such further period as the Commission may allow. It is further stated that at an appropriate time or when so ordered by this Commission Louisiana will dissolve Grant and acquire its assets.

The application-declaration further states that upon the acquisition of the utility assets Louisiana will amortize any acquisition adjustments applicable thereto over the remaining period in which it is presently amortizing its other acquisition adjustments in accordance with the order of the Louisiana Public Service Commission. It is further stated that with respect to reports to the Federal Power Commission Louisiana will amortize any such acquisition adjustments applicable to the electric utility assets to be acquired over the remainder of the period in which it is presently amortizing its other acquisition adjust-

ments in accordance with its original reclassification of electric plant.

Notice is further given that any interested person may, not later than March 2, 1950, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration, as amended, which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 2, 1950, at 5:30 p. m., e. s. t., said application-declaration as filed, or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof. All interested persons are referred to said application-declaration which is on file with the Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 50-1596; Filed, Feb. 27, 1950;
8:49 a. m.]

[File Nos. 70-2295, 70-2331]

GENERAL PUBLIC UTILITIES CORP. ET AL.

NOTICE OF FILING; ORDER RECONVENING
HEARING, AND ORDER FOR CONSOLIDATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 20th day of February 1950.

In the matters of General Public Utilities Corporation, Metropolitan Edison Company, New Jersey Power & Light Company, File No. 70-2295; Consolidated Edison Company of New York, Inc., File No. 70-2331.

Notice is hereby given that General Public Utilities Corporation ("GPU"), a registered holding company, has filed with this Commission an amendment to a declaration filed pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935.

Notice is further given that Consolidated Edison Company of New York, Inc. ("Coned"), has filed with this Commission an application pursuant to the provisions of the act. Coned has designated sections 9 (a) (2) and 10 of the act as applicable to the proposed transaction.

All interested persons are referred to said amendment and said declaration which are on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

By order dated January 31, 1950 issued in this proceeding, the Commission granted GPU an exemption from the competitive bidding requirements of

Rule U-50 with respect to the sale by it of the common stock of its subsidiary, Staten Island Edison Corporation ("Staten Island") in so far as such stock is sold to private purchasers buying not for resale, subject to the condition that the sale of such common stock shall not be consummated until a further order shall have been entered by the Commission in light of the record so completed with respect to the maintenance of competitive conditions and the results of negotiations, including the price to be paid GPU.

GPU has now filed an amendment to its declaration stating that on February 10, 1950, it entered into a contract with Coned for the sale of the common stock of Staten Island for a base price, subject to certain adjustments, of \$10,720,000.

The application filed by Coned relates to the acquisition of the common stock of Staten Island from GPU.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearing with respect to the declaration of GPU be reconvened and that a hearing be held with respect to the application filed by Coned, and that said declaration, as amended, filed by GPU and said application filed by Coned shall not be granted or permitted to become effective except pursuant to further order of the Commission; and

It further appearing that the foregoing matters are related, and the evidence offered in respect to each of the matters may have a bearing on the other, and that substantial savings in time, effort and expense will result if said matters are consolidated;

It is hereby ordered, That the said proceedings be, and hereby are, consolidated.

It is further ordered, That the hearing in the consolidated proceedings be reconvened on March 6, 1950, at 10:00 a. m., e. s. t., before the same hearing officer heretofore designated, at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which such hearing is to be held. Any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before March 3, 1950, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the said declaration, as amended, and the said application, and that, on the basis thereof, the following matters and questions, in addition to those set forth in the Commission's order dated January 10, 1950, are presented for consideration without prejudice, however, to the presentation of additional matters and questions upon further examination:

(1) Whether the price proposed to be received by GPU and to be paid by Coned

for the common stock of Staten Island is fair and reasonable.

(2) Whether competitive conditions were maintained by GPU in negotiating for the sale of the common stock of Staten Island.

(3) Whether the acquisition by Coned of the common stock of Staten Island will tend towards interlocking relations or the concentration of control of public utility companies, of a kind or to an extent detrimental to the public interest or the interest of investors or consumers.

(4) Whether such acquisition by Coned will serve the public interest by tending towards the economical and efficient development of an integrated public utility system and is not detrimental to the carrying out of the provisions of section 11 of the act.

(5) Whether any terms and conditions should be imposed in the public interest or for the protection of investors and consumers either with respect to the sale by GPU of the common stock of Staten Island or with respect to the acquisition thereof by Coned.

It is further ordered, That at said reconvened hearing evidence shall be adduced with respect to the foregoing matters and questions in addition to those set forth in our order dated January 10, 1950.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid reconvened hearing by mailing a copy of this order by registered mail to General Public Utilities Corporation and Consolidated Edison Company of New York, Inc., the Public Service Commission of the State of New York, the Mayor of the City of New York, New York, and the Federal Power Commission, and that notice of said hearing shall be given to all other persons by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 50-1595; Filed, Feb. 27, 1950;
8:49 a. m.]

[File No. 70-2310]

OHIO EDISON CO. AND PENNSYLVANIA
POWER CO.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 20th day of February A. D. 1950.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (the "act") by Ohio Edison Company ("Ohio"), a registered holding company and a public utility company and its public utility subsidiary, Pennsylvania Power

Company ("Pennsylvania"). Applicants-declarants have designated sections 6 (b), 9 (a), 10 and 12 (f) of the act and Rules U-43 and U-50 promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to said application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Ohio, the holder of all the issued and outstanding \$30 par value common stock of Pennsylvania, proposes to: increase its investment in such common stock by the payment to Pennsylvania of \$600,000 in cash. Pennsylvania proposes to further increase its common stock capital account by the transfer of \$600,000 from its earned surplus account and to issue to Ohio 40,000 shares of its common stock. Prior to the issue of such additional shares, Pennsylvania proposes to increase its authorized number of shares of common stock from 200,000 to 600,000.

Pennsylvania also proposes to issue \$3,000,000 principal amount of its First Mortgage Bonds, --% Series, due 1980, to be issued pursuant to and secured by Pennsylvania's present indenture dated as of November 1, 1945, as supplemented by indentures dated as of May 1, 1948, and to be dated as of March 1, 1950. The bonds will be sold pursuant to the competitive bidding requirements of Rule U-50 for a price to the company of not less than 100% nor more than 102 3/4% of the principal amount thereof, plus accrued interest.

In connection with the above financing Ohio proposes to record the increase in its investment in Pennsylvania by a charge to its investment account of \$1,200,000 and contra credits of \$600,000 to cash and \$600,000 to capital surplus. As indicated hereinafter, a hearing has been scheduled with respect to the proposed accounting treatment by Ohio which has stated that pending the decision of the Commission thereon Ohio will account for the proposed transactions solely by a charge to its investment account and a contra credit to cash of \$600,000.

According to the filing, Pennsylvania contemplates expenditures for the construction or acquisition of property additions to its utility plant during the years 1950 and 1951 in the amount of approximately \$11,687,000. The filing states that in order to finance its construction program Pennsylvania will use the proceeds from the sale of the new bonds and common stock and cash on hand and estimated to be received from operations. The officials of Pennsylvania estimate that, based upon the present level of earnings and current expectations of the probable progress of its construction program, approximately \$6,000,000 of its cash requirements will have to be provided during 1951 from the sale of additional securities.

Notice is further given that any interested person may, not later than March 1, 1950, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on the above matters, other than

the proposed accounting treatment by Ohio (as to which a hearing is herein-after ordered) stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after March 1, 1950, said application-declaration, as filed or as amended, may be granted.

It is ordered, That a hearing with respect to the proposed accounting treatment by Ohio concerning its investment in Pennsylvania under the applicable provisions of the act and the rules and regulations of the Commission promulgated thereunder be held on March 9, 1950 at 10 a. m., e. s. t., at the office of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which the hearing will be held. Any person desiring to be heard or otherwise wishing to participate in the proceedings shall file with the Secretary of the Commission on or before March 6, 1950 a request or application relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Richard Townsend or any other officer or officers of the Commission designated for that purpose shall preside at the hearing on such matters. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the application-declaration and that, upon the basis thereof, the following matters and questions are presented for consideration by the Commission, without prejudice however to the specification of additional matters or questions upon further examination.

1. Whether, in the light of the standards of the act and the rules and regulations promulgated thereunder, the proposed accounting for Ohio's investment in its subsidiary, Pennsylvania, may be approved.

2. Whether it is necessary or appropriate to impose terms or conditions with respect to the proposed accounting treatment in the public interest or for the protection of investors or consumers, and, if so, what terms and conditions should be imposed.

It is further ordered, That particular attention shall be directed at said hearing to the foregoing matters and questions.

It is further ordered, That a copy of this notice shall be mailed by registered mail to the Federal Power Commission, the Public Utilities Commission of Ohio and Ohio Edison Company; that notice shall be given to all other persons by general release of this Commission,

which shall be distributed to the press and mailed to the mailing list for releases under the act, and that further notice shall be given to all persons by publication of this notice in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 50-1593; Filed, Feb. 27, 1950;
8:48 a. m.]

[File No. 70-2332]

WEST PENN ELECTRIC CO. AND
MONONGAHELA POWER CO.

NOTICE OF FILING AND NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 20th day of February A. D. 1950.

Notice is hereby given that a joint application-declaration has been filed with this Commission by The West Penn Electric Company ("West Penn Electric"), a registered holding company, and its directly owned subsidiary, Monongahela Power Company ("Monongahela"), pursuant to the Public Utility Holding Company Act of 1935, and designating sections 6, 7, 10, and 12 of the act and Rules U-43 and U-50 promulgated thereunder as being applicable thereto.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Monongahela proposes to issue and sell at competitive bidding pursuant to Rule U-50, 60,000 shares of its --% Cumulative Preferred Stock, Series C, par value \$100 per share and to issue and sell to its parent, West Penn Electric, 230,770 shares of common stock for which Monongahela is to receive \$1,500,000 in cash. It is represented in the filing that the entire proceeds from the sale of these securities are to be used by Monongahela to finance, in part, its construction program for the year 1950.

It appearing appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said joint application-declaration and that it shall not be granted or permitted to become effective except pursuant to further order of the Commission;

It is ordered, That a hearing on said joint application-declaration, pursuant to the applicable provisions of the act and the rules of the Commission, be held on March 7, 1950 at 10:00 a. m., e. s. t., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk in Room 101 will advise as to the room in which such hearing is to be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding should file with the Secre-

tary of the Commission on or before March 2, 1950 a request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Richard Townsend, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer or officers so designated to preside at such hearing are hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities having advised the Commission that it has made a preliminary examination of the joint application-declaration and that upon the basis thereof the following matters and questions are presented for consideration without prejudice to the specification of additional matters and questions upon further examination:

1. Whether the proposed security issuances by Monongahela are consistent with the public interest and the interest of investors and consumers and with the applicable requirements of sections 6 (a) and 7, and particularly whether the securities are reasonably adapted to the security structure of Monongahela and other companies in the same holding company system;

2. Whether the fees, commissions, and other expenses incurred or to be incurred in connection with these transactions are for necessary services and are reasonable in amount;

3. Whether any terms and conditions should be imposed in the public interest or for the protection of investors and consumers with respect to West Penn Electric in connection with the furnishing of equity capital to its subsidiaries or with respect to Monongahela concerning its financing and construction program.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to the joint applicants-declarants herein, to the West Virginia Public Service Commission, the State Corporation Commission of Virginia, the Public Service Commission of Maryland, the Public Utility Commission of Pennsylvania, the Public Utility Commission of the State of Ohio, and to the Federal Power Commission and that further notice be given to all other persons by publication of this notice and order in the FEDERAL REGISTER and by general release of this notice and order including distribution to the press and mailing to the persons appearing on the Commission's mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 50-1588; Filed, Feb. 27, 1950;
8:48 a. m.]

[File No. 812-651]
REMINGTON ARMS CO., INC.
 NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 21st day of February A. D. 1950,

Notice is hereby given that Remington Arms Company, Inc. ("Applicant") of Wilmington, Delaware, an affiliated person of and controlled by E. I. du Pont de Nemours and Company, which is an affiliated person of and presumptively controlled by Christiana Securities Company, a closed-end non-diversified management company registered under the Investment Company Act of 1940, has filed an application pursuant to Rule N-17D-1 of the general rules and regulations under the act regarding a proposed amendment to the Applicant's pension and retirement plan to be adopted upon approval by the stockholders of the Applicant.

It appears from the application that such proposed amendment would provide alternate formulas for the computation of pensions for present pensioners and for employees who may retire in the future, one formula to be used with respect to such persons who are eligible for a "government pension" and the other formula to be used for such persons who are not eligible for a "government pension". The term "government pension" is defined in the application to mean "any pension, annuity, or similar benefit (other than those attributable to services in the armed forces) authorized under the laws or regulations of any nation or state or any political subdivision thereof, which pension is attributable to the individual's employment". It further appears from the application that under Applicant's present plan, the pension payable in any month shall not be more than \$1,250 and that under the plan as proposed for amendment the maximum total retirement income of a pensioner would be limited to \$2,500 per month. It is estimated that the annual cost to the Applicant of maintaining the plan will be increased if the proposed amendment is adopted. Pension reserve accruals for 1949 under the present plan aggregate approximately \$910,000 and if the plan as proposed to be amended had been in effect during 1949 the accruals for that year would have been increased by about \$565,000 (62%) making a total of \$1,475,000.

The participation in any bonus, profit-sharing or pension plan or arrangement by a company controlled by a registered investment company is prohibited by Rule N-17D-1 under the act unless an application regarding such plan or arrangement has been filed with the Commission and has been granted by an order entered prior to the submission of such plan or arrangement to security holders for approval or prior to the adoption thereof if not so submitted.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application may be issued

by the Commission at any time on or after March 3, 1950, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may not later than March 1, 1950, at 5:30 p. m., in writing submit to the Commission his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW, Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

ORVAL L. DuBOIS,
 Secretary.

[F. R. Doc. 50-1594; Filed, Feb. 27, 1950;
 8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 14318]

DEUTSCHE FILM AKTIENGESellschaft ET AL.

In re: Motion Pictures "Die Fledermaus" and "Die Mörder Sind Unter Uns" and rights therein owned by Deutsche Film Aktiengesellschaft and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the business organizations whose names and last known addresses are set forth in Column 2 of Exhibit A attached hereto and made a part hereof, are organized under the laws of, or have or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in, Germany, and are nationals of a designated enemy country (Germany):

2. That the property described as follows:

(a) All right, title, interest, and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, in, to and under the following:

(1) The motion pictures listed in said Exhibit A, including, but not limited to, the exclusive right to exhibit same in whole or in part by any means within the United States, all rights to arrange, adapt, revise, translate, and duplicate said motion pictures in whole or in part, and every copyright, claim of copyright, right to copyright, and right to renew

the copyright or copyrights in said motion pictures.

(2) The screen plays, scenarios, and shooting scripts upon which said motion pictures are based, including, but not limited to, all motion picture, radio, and television rights therein, and every copyright, claim of copyright, right to copyright, and right to renew the copyright or copyrights in said screen plays, scenarios, and shooting scripts.

(3) The rights to dramatize, perform, represent, and reproduce on film in a new version or versions of the motion pictures listed in said Exhibit A, those portions of all literary works which underlie or are embodied in said motion pictures and to exhibit such film by any means in the United States.

(b) All right, title, interest, and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of the business organizations referred to in Column 2 of said Exhibit A and also of all other persons (including individuals, partnerships, associations, corporations or other business organizations), whether or not named elsewhere in this Order including said Exhibit A, who are citizens and residents of, or which are organized under the laws of or have their principal places of business in, Germany, and are nationals of such designated enemy country, in, to and under the following:

(1) All arrangements, adaptations, revisions, dramatizations, translations, and versions of the motion pictures listed in said Exhibit A.

(2) Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to the property described in subparagraphs 2 (a) and 2 (b) (1) of this Vesting Order.

(3) All rights of reversion or reversioning, if any, in the property described in subparagraphs 2 (a), 2 (b) (1), and 2 (b) (2) of this Vesting Order.

(c) All monies and amounts, and all rights to receive monies and amounts, by way of damages, royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to the property described in subparagraphs 2 (a) and 2 (b), of this Vesting Order, and

(d) All causes of action accrued or to accrue at law or in equity with respect to the property described in subparagraphs 2 (a), 2 (b), and 2 (c) hereof, including but not limited to the rights to sue for and recover all damages and profits and to request and receive the benefits of all remedies provided by common law and by statute for the infringement of any copyright, for the violation of any right and for the breach of any obligation described in or affecting the aforesaid property.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the business organizations and other persons referred to in subparagraphs 1 and 2 (b) hereof, the aforesaid nationals of a designated enemy country (Germany) and is property of, or is property payable or held with respect to copyrights or rights re-

lated thereto in which interests are held by, and such property itself constitutes interests therein held by the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the business organizations referred to in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such business organizations be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on February 8, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

EXHIBIT A

Column 1	Column 2	Column 3	Column 4
Title of motion picture	Name and last known address of owner	Director of motion picture	Year of production or release for exhibition
Die Fledermaus (The Bat).....	Terra Filmkunst G. m. b. H. Berlin, Germany, and/or Deutsche Film Aktien-Gesellschaft, Berlin, Germany.	Geza von Bolvary.....	1945
Die Mörder Sind Unter Uns (The Murderers are in our Midst).	Deutsche Film Aktien-Gesellschaft, Berlin, Germany.	Wolfgang Staudte.....	1946

[F. R. Doc. 50-1609; Filed, Feb. 27, 1950; 8:52 a. m.]

[Return Order 553]

E. Z. I. NEEDLE CO.

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention to Return Published, and Property

E. Z. I. Needle Company, Attleboro, Mass.; Claim No. 33587; January 6, 1950 (15 F. R. 47), and property described in Vesting Order No. 16 dated June 4, 1942 (7 F. R. 4400, June 11, 1942) relating to U. S. Letters Patent No. 2273592. This Return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1610; Filed, Feb. 27, 1950; 8:52 a. m.]

GIOVANNI GIULIO RUCELLAI ET AL.
NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended,

notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim Nos., Property, and Location

Giovanni Giulio Rucellai, Nicolo Cosimo Giorgio Rucellai, Giovanna Editta Maria Rucellai, Cintia Paola Maria Rucellai, Letizia Tamara Nannina Rucellai, New York, New York; Claim No. 35114; \$1,875.14 in the Treasury of the United States to Giovanni Giulio Rucellai.

Nannina Rucellai Fossi, Maria Gabriella Fossi, Giulio Antonio Fossi, Florence, Italy; Claim No. 35115; \$1,078.25 in the Treasury of the United States to Nannina Rucellai Fossi.

Bernardo Rucellai, Cosimo Giovanni Bastista Rucellai, Eugenio Rucellai, Florence, Italy; Claim No. 35116; \$1,633.72 in the Treasury of the United States to Bernardo Rucellai.

All right, title, interest and claim of any kind or character whatsoever of the claimants and the issue of Giovanni Giulio Rucellai, Nannina Rucellai Fossi, and Bernardo Rucellai, in and to the trust established under a Deed of Trust executed on July 22, 1926, by Edith Bronson Rucellai, as donor, John A. Weekes and the United States Trust Co. of New York, as trustees, New York, N. Y.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1618; Filed, Feb. 27, 1950; 8:54 a. m.]

[Return Order 555]

JULES GABRIEL DAVIN ET AL.

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim Number and Property

Jules Gabriel Davin; Noyer, France; \$3,828.50 in the Treasury of the United States. Zoe Josephine Davin; Gap, France; \$3,828.50 in the Treasury of the United States. Angele Marie Augusta Davin Barbe; Grenoble, France; \$3,828.50 in the Treasury of the United States. Gabrielle Jeanne Prunier; Lyon, France; \$3,828.50 in the Treasury of the United States. Auguste Jean Ceas; Gap, France; \$1,914.25 in the Treasury of the United States. Lucienne Augustine Jeanne Ceas; Gap, France; \$957.12 in the Treasury of the United States. Zoe Lucie Ceas Bertrand; Jarjayes, France; \$957.13 in the Treasury of the United States. Claim No. 40574. Notice of Intention to Return Published: January 6, 1950 (15 F. R. 48)

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1611; Filed, Feb. 27, 1950; 8:52 a. m.]

[Return Order 435, Amdt.]

HIROO YAMAMOTO

Return Order No. 435, dated September 29, 1949, published in the FEDERAL REGISTER on October 6, 1949 (14 F. R. 6102) is hereby amended as follows, and not otherwise:

By deleting the following item:

Claimant: Hiroo Yamamoto; Claim No. 11977; property: \$19.00.

and by substituting therefor, the following:

Claimant: Hiroo Yamamoto; Claim No. 11977; property: \$19.00.

All other provisions of said Return Order No. 435, and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto, and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1612; Filed, Feb. 27, 1950; 8:52 a. m.]

MIRIAM ISAAC

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Miriam Isaac, New York, N. Y., Claim No. 37502; property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943), relating to United States Letters Patent No. 2,115,333.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1613; Filed, Feb. 27, 1950;
8:53 a. m.]

JEANNE ENGEL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Jeanne Engel, a/k/a Johanna Engel-Kohler, Colmar, Haut-Rhin, France; Claim No. 35977; \$2,267.40 in the Treasury of the United States.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1614; Filed, Feb. 27, 1950;
8:53 a. m.]

ALBERTO GEISSER CELESIA DI VEGLIASCO ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Alberto Geisser Celsia di Vegliasco and Issue of Alberto Geisser Celsia di Vegliasco, Montevideo, Uruguay; Claim No. 40380; to Roberto Geisser Celsia di Vegliasco: \$32,075.95 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Alberto Geisser Celsia di Vegliasco in and to the trust estate created under the Last Will and Testament of William H. Erhart, deceased. To the Issue of Alberto Geisser Celsia di Vegliasco: All right, title, interest and claim of any kind or character whatsoever of the Issue of Alberto Geisser Celsia di Vegliasco in and to the trust estate created under the Last Will and Testament of William H. Erhart, deceased.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1615; Filed, Feb. 27, 1950;
8:53 a. m.]

LES DAMES DE SAINT-RAPHAEL

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Les Dames De Saint-Raphael 297, rue St. Jacques, Paris, France, Claim No. 36632; property to the extent owned by R. Deiss immediately prior to the vesting thereof by Vesting Order No. 3499 (9 F. R. 6122, June 6, 1944) relating to works listed in the catalogue entitled "R. Deiss Editeur de Musique" (including sheet entitled "Supplement A Notre Catalogue General"), (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of \$2,577.78.

Executed at Washington, D. C., on February 21, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1616; Filed, Feb. 27, 1950;
8:54 a. m.]

FRANCESCA PAOLA LOMBARDO AND GIULIO CESARO

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Francesca Paola Lombardo, Palermo, Italy; Claim No. 33762; \$3,207.31 in the Treasury of the United States.

Giulio Cesaro, Palermo, Italy; Claim No. 33762; \$3,207.32 in the Treasury of the United States. All right, title and interest of Concettina Cesaro in and to the trusts under the will and codicil of Gabriel Marino, deceased, to Francesca Paola Lombardo and Giulio Cesaro in equal shares.

Executed at Washington, D. C., on February 20, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 50-1617; Filed, Feb. 27, 1950;
8:54 a. m.]